

## ARTICLE 2.

### Community Design Principles and Development Standards

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## Community Design Principles and Development Standards

### Sec. 2.1. General provisions.

- (a) Applicability. All development applications and building permit applications shall comply with the applicable standards contained in this Article 2.
- (b) Relation to zone district standards (Section 3.6). In the event of a conflict between a standard or requirement contained in Section 3.6 and this Article, the standard in Section 3.6 shall prevail.

### Sec. 2.2. Vision and intent.

- (a) The intention of the Town in enacting this Article is to clearly describe the Town's vision and to create a vital, cohesive, well-designed community in order to enhance its small-town character and further the citizens' goals as identified in the *Frederick Comprehensive Plan* ("Comprehensive Plan"). Preservation of the Town's small-town character was stated as one (1) of the most important goals in the Comprehensive Plan.

*When we look at the most beautiful towns and cities of the past, we are always impressed by a feeling that they are somehow organic.*

*This feeling of "organicness," is not a vague feeling of relationship with biological forms. It is not an analogy. It is instead, an accurate vision of a specific structural quality which these old towns had . . . and have. Namely: Each of these towns grew as a whole, under its own laws of wholeness . . . and we can feel this wholeness, not only at the largest scale, but in every detail; in the restaurants, in the sidewalks, in the houses, shops, markets, roads, parks, gardens, and walls.*

*– A New Theory of Urban Design, Christopher Alexander, Hajo Neis, Artemis Anninou and Ingrid King*

- (b) When describing the Town during the Comprehensive Plan process, the townspeople most valued the following qualities which contribute to the Town's "wholeness":
  - (1) Walkable and pedestrian oriented.
  - (2) Variety of housing types.
  - (3) Orderly, grid-pattern, tree-lined streets.
  - (4) Safe and secure.
  - (5) Houses face the streets with garages less predominant in the back.
  - (6) One- and two-story buildings.
  - (7) Friendly, opportunity to know one's neighbors and care for one another.
  - (8) Rural, unique natural setting with mountain views.
  - (9) No excessive traffic.

(10) Quiet, slower paced environment.

(11) Town-wide activities.

(12) Cultural heritage.

### **Sec. 2.3. Town Pattern Plan.**

*The most basic rule of village design is to aim toward tying everything together with streets, sidewalks, footpaths, and also with interconnected open spaces and trails.*

***– Crossroads, Hamlet, Village, Town: Characteristics of Traditional Neighborhoods, Old and New, Randall Arendt***

- (a) The importance of this basic rule cannot be overstated. For this reason, a Town Pattern Plan needs to be developed in conjunction with this Code in order to assist the Town in creating a vision for expansion of the core community and to give direction to the development community on the elements needed to strengthen the sense of community and small town character.
- (b) Creating vibrant communities requires a sensitivity to context. Small towns typically have one (1) central commercial downtown area that needs to be strengthened. As the community grows, the original downtown area can be expanded, redeveloped and transformed. Often the community is located along a major highway, and the commercial and employment opportunities for the town are strongest in these locations. The need to balance these competing forces, strengthening the existing community while taking advantage of proximity to a major highway, is a key issue for evaluation.
- (c) The street pattern must reinforce the pedestrian nature of small towns and interconnect the community. Street design and the integration of land uses is critical to the vitality of the Town. Streets must be designed to invite pedestrians to share the public realm. This requires attention to the street width, planting of shade trees and landscaping, sidewalks, the transition between the public and private areas, and the architecture. By integrating a mixture of land uses, destinations are created. The path to these destinations and the journey is what helps reinforce the "small town feeling."
- (d) The Town Pattern Plan must be developed based on genuine opportunities and constraints; otherwise, its usefulness will be marginal. Therefore, it will be important to develop a base map that includes the location of relevant information, such as oil and gas well locations (proposed and existing), subsidence, floodplain, wetlands, environmental issues, easements, topography, roadways, etc. Beyond the base information, the Town Pattern Plan will require imagination to describe and locate focal points and civic possibilities.
- (e) The purpose of the Town Pattern Plan is to give the Town the opportunity to create and describe a vision for expansion of the community in enough detail to influence the vitality and character of the growth. It is intended to guide the development but not to replace the landowner's final design and input. The goal is to give adequate direction to landowners so that they can work collaboratively with the Town to accomplish mutual goals. For an example of a Town Pattern Plan, see Figures 2-1 and 2-1A.

Fig. 2-1

Figure 2-1  
Final Town Pattern Plan

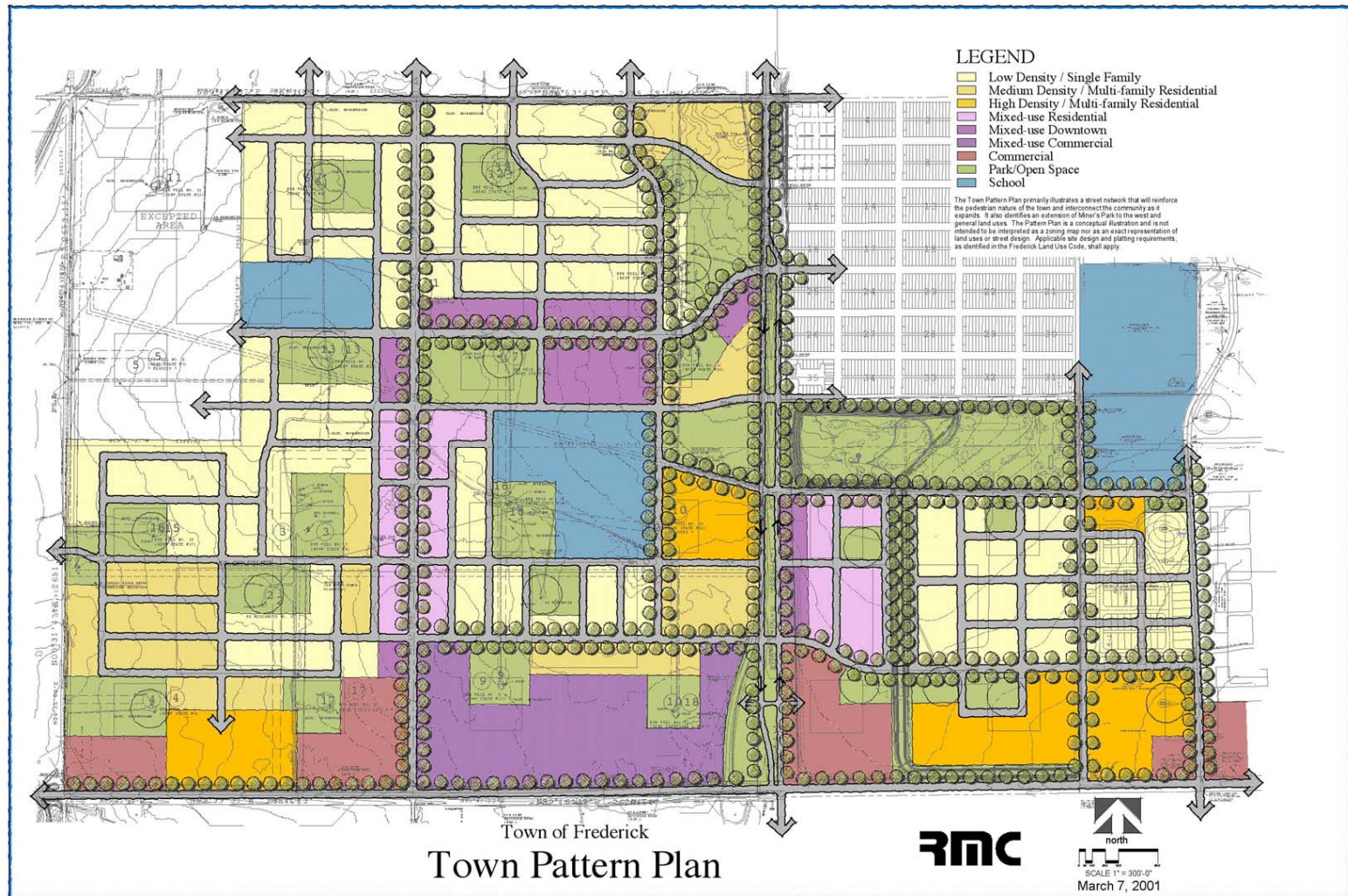


Figure 2-1a



**Sec. 2.4. Application of community design principles.**

- (a) The community design principles as set forth in this Section are to be considered in every development proposal. The Town's goal is to expedite the planning review process by clearly outlining the Town's expectations for new development. To this end, the Planning Commission invites applicants to participate in a visioning meeting prior to preparing the sketch plan application (refer to Section 4.5). The visioning meeting is an initial meeting between the developer and the Planning Commission. It is intended to begin a collaborative process to ensure that new development is consistent with the community's goals and that issues are identified early in the process.
- (b) The Planning Commission and Board of Trustees will evaluate each proposal based on these principles and the context within which a project is located. The principles are intended to be specific enough to guide development, but not to preclude creative design solutions. Applicants must substantially conform to the design principles unless it can be demonstrated that an acceptable alternative meets one (1) or more of the following conditions:
  - (1) The alternative better achieves the stated intent;
  - (2) The intent will not be achieved by application of the principle in this circumstance;
  - (3) The effect of other principles will be improved by not applying the principle; and/or
  - (4) Strict application or unique site features make the principle impractical.

**Sec. 2.5. Design elements.**

One (1) of the greatest challenges facing small towns is the successful integration of new development with the original town pattern. Suburban development patterns which have included numerous cul-de-sacs and limited street connections have often separated communities and created enclaves of the original towns. In order to maintain the Town's unique, small-town character and clearly describe the Town's vision, the following design elements have been set forth within this Article.

- (1) Compact urban growth. As the community grows from the original Town limits, it is important to maintain a continuity of density, diversity and interconnectedness. Urban development should occur adjacent to the Town's core so that the community's prime agricultural land and natural areas are preserved and public infrastructure and utilities are used as efficiently as possible.
- (2) Neighborhood design. New developments should help create neighborhoods, rather than residential subdivisions adjacent to one another. Neighborhoods should be organized around a strong center which may include elements such as common open space, civic and commercial or mixed uses. Strong consideration should be given to pedestrian movement, the character of streets and sidewalks as inviting public space, and the interconnectedness of the streets within the neighborhood and as they connect to the rest of the community. In addition, new neighborhoods should have a variety of housing sizes and types that help to create a distinct identity rather than a monotonous replication of styles.

- (3) Lots and blocks, streets and sidewalks. The layout of lots and blocks should be designed to continue the Town's existing block pattern to form a grid or modified grid pattern that is adapted to the topography, natural features and environmental considerations. The streets should be tree-lined and interconnected in order to create a comprehensive transportation network that facilitates the movement of pedestrians, cars and bicycles.
- (4) Parks and open space. New developments shall use natural open spaces and developed public space (such as parks and plazas) to organize and focus lots, blocks and circulation patterns, protect natural areas and quality agricultural land and to create an identity for each neighborhood.
- (5) Site design, architecture and landscaping. One (1) of the fundamental intentions of this Code is to encourage innovative, quality site design, architecture and landscaping in order to create new places that can be integrated with the existing community and reflect the traditional patterns of the region. The photographic design vocabulary at Section 2.26, as well as illustrations throughout this Code, are intended to provide a visual description of the Town's design intentions.
- (6) Environment. New developments should be designed to fit within the environment. To the greatest extent feasible, sites should be designed to preserve natural areas and the plants and wildlife inhabiting those areas. In addition, new developments are encouraged to follow Green Builder guidelines (See Section 2.22(c)) and to conserve natural resources, especially water.
- (7) Water conservation. As the State grows, increasing pressure will be placed on the limited supply of water resources. Town residents have emphasized the importance of preserving the quality and quantity of water. All new development is encouraged to use raw water for irrigation and to incorporate water-saving measures in building design and landscaping. Developments are required to use storm water management techniques that address water quality as well as quantity.

#### **Sec. 2.6. Compact urban growth.**

- (a) Intent. The Town has adopted a compact urban growth policy that will encourage and direct development to take place within areas contiguous to existing development in the community. This policy will accomplish several goals, including:
  - (1) Improving air quality by reducing vehicle miles traveled and by promoting alternatives to the private automobile;
  - (2) Preserving natural areas and features, particularly in the periphery of the Town;
  - (3) Making possible the efficient use of existing infrastructure and cost-effective extensions of new services;
  - (4) Encouraging in-fill development and reinvestment in built-up areas of the Town; and
  - (5) Promoting physical separation from neighboring communities to help each maintain its individual identity and character.

## (b) General provisions.

- (1) The Town has established a planning area boundary and adopted a cooperative planning area policy by Ordinance 571, Uniform Baseline Standards for Weld County, Firestone, Frederick and Dacono, dated September 7, 1998. The purpose is to direct growth within the established planning area boundary. (Refer to the *Land Use Overlay District Map*, Figure 2-2.) No development shall be approved unless it is located within the established planning area boundary and is consistent with the *Land Use Overlay District Map*.
- (2) The Town has established the following land use overlay districts, Figure 2-2, (not analogous with zoning districts), within the planning area boundary to ensure the community grows in a way that enhances its special qualities and maintains a continuity of density, diversity and interconnectedness:
  - a. Primary mixed use. Directs the most urban development closest to the original Town.
  - b. Primary industrial/business. Establishes the I-25 Corridor as the primary location for industrial/business park development.
  - c. Rural subdivision. Limits residential density and encourages the preservation of open space.
  - d. Protected natural areas. Preserves continuous open space along the Godding Hollow and Boulder Creek drainage and flood channels and around Milavec Lake.

These districts are to be used as a general guide in conjunction with the underlying land use designations on the Comprehensive Plan's *Land Use and Public Facilities Map*.

- (c) Town structure. Town structure shall be formed by the clustering of neighborhoods, as opposed to developing single-use residential subdivisions adjacent to and disconnected from each other. The clustering of neighborhoods to support the original Town Center and form additional multi-neighborhood centers is illustrated on the Town Pattern Plan, Figures 2-1 and 2-1A above. The original downtown needs to be strengthened by commercial and mixed use development within the immediate vicinity, as illustrated. (Ord. 703 §§3, 4, 2003)

**Sec. 2.7. Neighborhood design principles.**

*We have become so used to living among surroundings in which beauty has little or no place that we do not realize what a remarkable and unique feature the ugliness of modern life is. Both in this country and in many others, wherever one finds a street or part of a street dating from before what we may call the modern period, one is almost sure to see something pleasing and beautiful in its effect. . . . It is the lack of beauty, of the amenities of life, more than anything else which obliges us to admit that our work of town building in the past century has not been well done.*

*– Town Planning in Practice, Raymond Unwin, 1909*

- (a) Intent. The intents of this Article is to encourage the creation of viable neighborhoods that interconnect with each other and integrate new projects into the existing community, thereby strengthening the original town. The neighborhood layout should consider the street, lot and block pattern of the original town, as well as solar orientation, topography, sensitive wildlife and vegetation, drainage patterns and environmental and regional climate issues. Further, the edges of neighborhoods should be formed by features shared with adjacent neighborhoods such as major streets, changes in street pattern greenways, or natural features such as streams and major drainage or riparian corridors. New streets, bikeways, sidewalks, paths and trails should connect to existing adjacent neighborhoods.
- (b) Neighborhood structure. Following is a summary of essential elements to consider integrating into new neighborhoods:
  - (1) Street, sidewalk and trail connections within new neighborhoods that connect to adjacent existing neighborhoods and strengthen the connection to the existing town.
  - (2) Streets that encourage pedestrian activity by creating an inviting atmosphere through attention to the details of landscaping and tree locations, sidewalks, lighting and the building architecture, etc.
  - (3) A mixed-use neighborhood center located for easy access.
  - (4) A variety of housing types, sizes, densities and price range that are well integrated.
  - (5) A variety of land uses that are well-integrated and a transition of intensity. Nonresidential uses, larger buildings and attached multi-family housing should be encouraged to be located near commercial centers with a transition to smaller buildings closer to low density neighborhoods.
  - (6) Pedestrian and bike connections throughout residential neighborhoods and linked to neighborhood commercial or civic centers and open space systems.
  - (7) Parks, open space, public plaza and greens that are well integrated into the neighborhood.
  - (8) Street trees placed in new developments at regular intervals of thirty (30) to forty (40) feet and placed directly adjacent to sidewalks. See Figure 2-21, Section 2.16(c)(1)a.
  - (9) Architectural, landscaping and site design elements of new developments as outlined in this Article.
- (c) General provisions. The following principles are contained in the original "old town" of Frederick.<sup>1</sup> The Comprehensive Plan identifies them as contributing to the community's small-town character. Although the size of individual development proposals will vary, projects will be evaluated with consideration to these neighborhood design principles and the context within which a project is located. Failure to incorporate these design principles into a project may be cause for denial of the project by the Board of Trustees.
  - (1) Each neighborhood has a center and an edge. It is important that every neighborhood have activity centers that draw people together. Use natural and man-made features

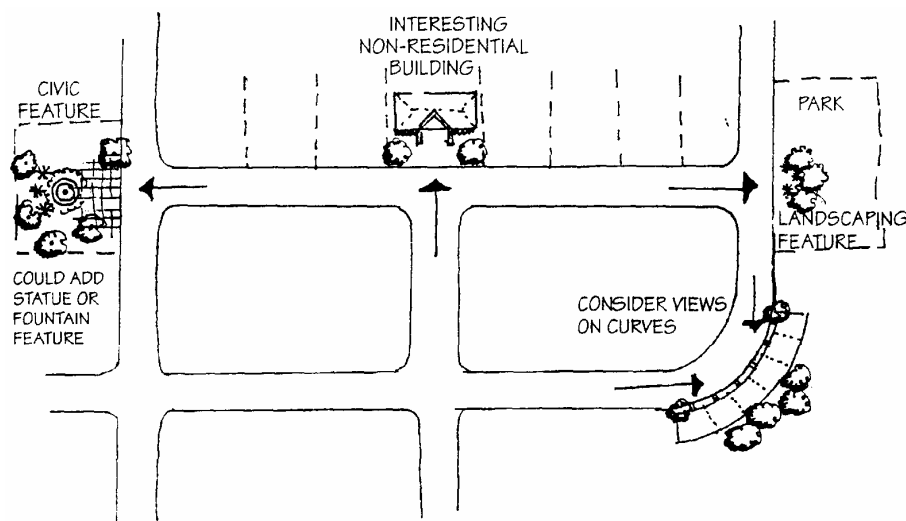
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<sup>1</sup> These principles were adapted from *Rural by Design*, Randall Arendt, 1994.

such as a drainage way, major roadways and ditches to define neighborhood edges. Buildings or other features located at gateways entering a neighborhood shall mark the transition into and out of the neighborhood in a distinct fashion using massing, additional height, contrasting materials and/or architectural embellishments to obtain this effect.

- (2) Mix of types of dwelling units. A mix of dwelling unit types shall be distributed throughout the development. (Refer to Section 2.19 for additional housing requirements and Section 2.26 for illustrations of housing styles that the Town is encouraging.)
- (3) Focal points. Focal points, or points of visual termination, shall generally be occupied by more prominent, monumental buildings and structures that employ enhanced height, massing, distinctive architectural treatments or other distinguishing features, as well as landscape features. See Figure 2-3.

**Figure 2-3**  
**Focal Points**



- (4) Public space as development framework. Public space is used to organize blocks and circulation patterns and to enhance surrounding development. Public open space must be functional and easily accessible and shall be designed to organize the placement of buildings to create an identity for each neighborhood. Buildings should face public open space to allow for casual surveillance.
- (5) Design streets as public spaces.
  - a. Buildings shall define streets through the use of relatively uniform setbacks along each block. The streetscape shall also be reinforced by lines of shade trees planted in the right-of-way landscape strip and may be further reinforced by walls, hedges, landscaping or fences which define front yards. (Refer to Section 2.26 for illustrations of streetscapes.)
  - b. On a lot with multiple buildings, those located on the interior of the site shall relate to one another both functionally and visually. A building complex may be

organized around features such as courtyards, greens or quadrangles which encourage pedestrian activity and incidental social interaction. Smaller, individualized groupings of buildings are encouraged. Buildings shall be located to allow for adequate fire and emergency access.

- (6) Order rather than repetition. The orderly arrangement of design elements can unify a space even when the elements are not the same. The location of sidewalks relative to streets, building setbacks and orientation, and the placement of trees can all help create an overall impression of unity even though each home or building has a distinct character.
- (7) Use human proportion. Buildings shall be considered in terms of their relationship to the height and massing of adjacent buildings, as well as in relation to the human scale. (In a small town, this means generally one-, two- and three-story buildings.)
- (8) Define the transition between the public and private realm. Buildings shall be located to front towards and relate to public streets or parks, both functionally and visually, to the greatest extent possible. Wherever possible, buildings shall not be oriented to front towards a parking lot.
- (9) Encourage walking and bicycling. Sites shall be designed to minimize conflicts between vehicles, bicycles and pedestrians. Pedestrian and bicycle access and connections shall be designed to make it safe and easy to get around on foot and by bicycle.
- (10) Neighborhoods shall have a mix of activities available rather than a purely residential land use. Neighborhood residents shall have convenient access to parks, schools, open space, trails and services. The optimum size of a neighborhood is one-quarter ( $\frac{1}{4}$ ) mile from center to edge.
- (11) Fit within the environment rather than on top of it. New developments shall be designed to respond to the natural environment, fit into the setting and protect scenic view corridors. Key design considerations shall include a site layout that responds to natural features both on- and off-site, the size of structures and materials used in the development and the transition between the development and the surrounding landscape.
- (12) Encourage a range of residents in every neighborhood. Housing types and the size of lots shall be varied to enable people to remain in the neighborhood as their needs change. (Refer to Section 2.26 for illustrations of architectural styles that the Town is encouraging.)
- (13) Housing types and styles that reflect the architecture of the region. Familiar architectural styles shall play an important role in developing an architectural identity for neighborhood dwellings. New homes shall be designed consistent with the architectural principles outlined in Section 2.19 of this Article.

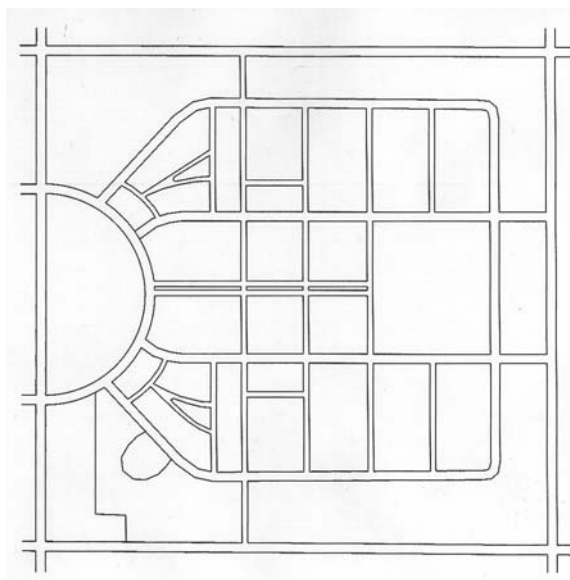
## **Sec. 2.8. Lots and blocks.**

- (a) Intent. The intent of the block and lot standards is to continue the Town's existing block pattern in a manner that is compatible with site-specific environmental conditions.

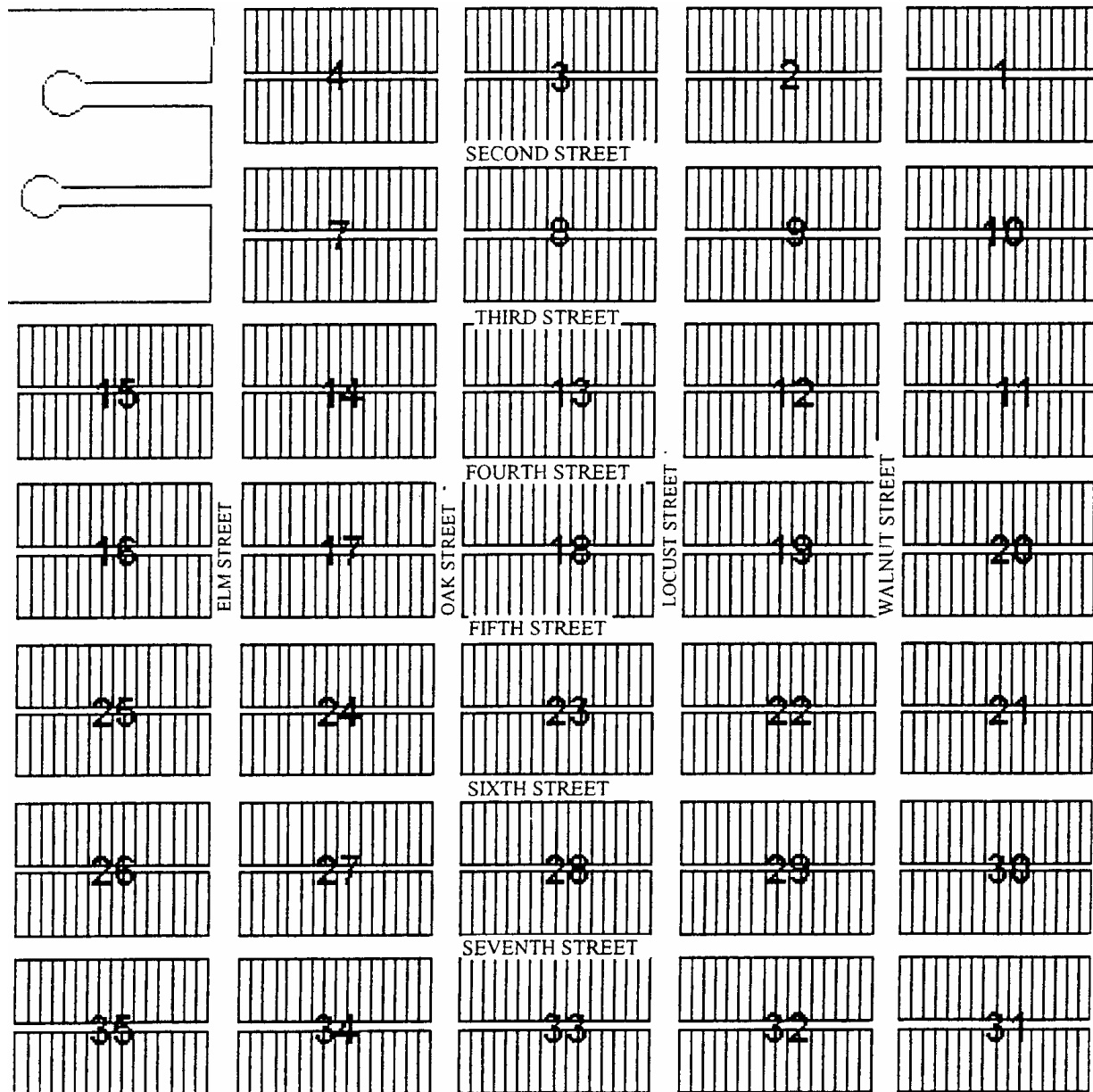
(b) General provisions.

- (1) Blocks (exclusive of rural subdivisions). Streets shall be designed to create blocks that consider interconnectedness, topography, solar orientation, views and other design features. The length of blocks in "Old Town" Frederick is typically four hundred (400) feet. (Refer to Figure 2-5 for an example.) Thus, to the greatest extent possible, blocks shall be designed to have a length of between three hundred (300) feet and seven hundred (700) feet (nonresidential streets). The lengths, widths and shapes of blocks shall be determined with due regard to the following:
  - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
  - b. Need for convenient access, control and safety of vehicular and pedestrian traffic circulation.
  - c. Limitations and opportunities of topography.

**Figure 2-4**  
**Example of Modified Grid Pattern**



**Figure 2-5  
Old Town Frederick  
Block Map**



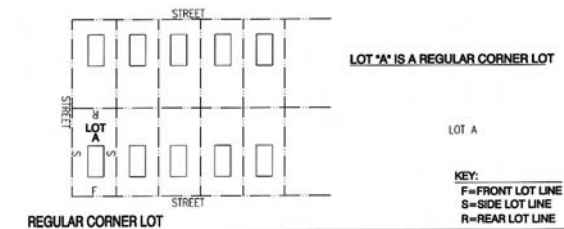
The typical block is 400' x 270'. The typical street width is 50' and alley width is 20'. Lots are typically 125' x 25'.

(2) Lot dimension and configuration.

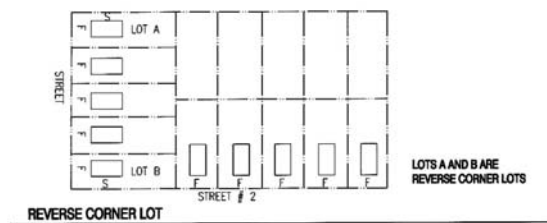
- a. Lot size, width, depth, shape and orientation and minimum building setback lines shall conform to Article 3 and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.

- b. Depth and width of properties shall be adequate to provide for off-street parking, landscaping and loading areas required by the type of use and development contemplated.
- c. Lot frontage. All lots shall have frontage that is either adjacent to or directly accessible to a street. Street frontage shall typically not be less than twenty-five percent (25%) of the lot depth. Flag lots are prohibited unless otherwise approved by the Board of Trustees.
- d. Corner lots. Corner lots for residential use shall have extra width to accommodate side elevation enhancements, such as porches and bay windows, the required building setback and utility easements on both street frontages. For a corner lot, the front of the lot is defined as the side having the shortest street frontage. In the case of a reverse corner lot, both sides abutting a street shall maintain a front yard setback. See Figure 2-6.

**Figure 2-6A  
Regular Corner Lot**

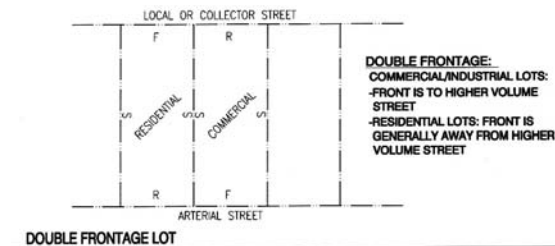


**Figure 2-6B  
Reverse Corner Lot**



- e. Double frontage. Double frontage lots for residential shall not be permitted except where essential to provide separation of residential properties from arterial streets or commercial uses, or to overcome specific disadvantage of topography and orientation. A planting screen easement of at least ten (10) feet in width, across which there shall be no vehicular right of access, may be required along the property line of lots abutting an arterial or other disadvantageous use. See Figure 2-7.

**Figure 2-7**  
**Double Frontage Lot**



- f. Side lot lines. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or centerlines.
- g. Residential lots adjacent to arterial streets. When residential lots are adjacent to, and the houses do not face an arterial street (i.e., rear yards abut the street), they shall be a minimum of one hundred fifty (150) feet deep and direct access to the street shall be prohibited, except for nonconforming situations on unplatted parcels. The setback to the house shall be a minimum of seventy-five (75) feet. When houses face the arterial street or are side-loaded relative to the street, the front or side setback to the house, respectively, shall be a minimum of fifty (50) feet. These setbacks do not apply for mixed-use dwelling units in the MU-C-D and MU-C-H#52 zone districts. Additional buffering techniques must also be applied such as those outlined in Section 2.17.
- h. Residential lot access to adjacent street.
  1. Driveway access to a local or collector street from a single-family detached residential lot shall be limited to one (1) driveway curb-cut or driveway access of no greater than twenty (20) feet in width. A circular drive in which each access to the local or collector street is less than ten (10) feet in width, separated by at least thirty (30) feet and which is constructed as an integral part of the overall architectural design of the single-family residence may be considered as a single driveway access.
  2. Driveway access to a local street from a single-family detached residential lot shall be greater than fifty (50) feet (except for reduced width lots in R-1A and Mixed Use Zones) from the intersection of the local street and a collector street or one hundred twenty-five (125) feet from the intersection of the local street and an arterial street as measured from the intersecting right-of-way lines.
  3. Driveway access to a collector street from a single-family detached residential lot shall be greater than one hundred twenty-five (125) feet from the intersection of the collector street and a local street, another collector street or an arterial street as measured from the intersecting right-of-way lines.
- i. Multi-family residential, commercial, business and industrial lot access to adjacent street.

1. Driveway access to a local or collector street from a multi-family residential, commercial, business or industrial lot shall be greater than one hundred twenty-five (125) feet from any street intersection as measured from the intersecting right-of-way lines;
2. Driveway access to an arterial street from a commercial, business or industrial lot shall be not less than two hundred fifty (250) feet from any intersection on the arterial street, or from another commercial, business or industrial lot's access as measured from the intersecting right-of-way lines, or driveways; or
3. At the sole option of the Town, driveway access to a local street, collector street or arterial street from a multi-family residential, commercial, business or industrial lot shall be as determined by a traffic study approved by the Town.

## Sec. 2.9. Streets.

*There is magic to great streets. We are attracted to the best of them not because we have to go there but because we want to be there.*

*– Great Streets, Alan B. Jacobs*

- (a) Intent. The intent of the street standards is to establish a safe, efficient, attractive transportation system that promotes all modes of transportation and is sensitive to the environment. In the recent past, streets have been designed primarily to promote the efficient movement of traffic. However, streets have multiple functions, as stated in "Performance Streets" (Bucks County, 1980):

*It was often forgotten that residential streets become part of the neighborhood and are eventually used for a variety of purposes for which they were not designed. Residential streets provide direct auto access for the occupant to his home; they carry traffic past his home; they provide a visual setting, and entryway for each house; a pedestrian circulation system; a meeting place for the residents; a play area (whether one likes it or not) for the children, etc. To design and engineer residential streets solely for the convenience of easy automobile movement overlooks the many overlapping uses of a residential street.*

*– Residential Streets, American Society of Civil Engineers, National Association of Home Builders, The Urban Land Institute, 1990*

- (b) General provisions. The local street system of any proposed development shall be designed to be safe, efficient, convenient and attractive, and consider the use by all modes of transportation that will use the system. Streets should be an inviting public space and an integral part of community design. Local streets shall provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. All streets should interconnect to help create a comprehensive network of public areas to allow free movement of cars, bicycles and pedestrians.
- (1) Street connections. All streets shall be aligned to join with planned or existing streets consistent with the approved *Transportation Map* of the Comprehensive Plan. All streets shall be designed to bear a logical relationship to the topography of the land. Intersections of streets shall be at right angles unless otherwise approved by the Town. Street intersections shall be separated by not less than one hundred twenty-five (125) feet as measured from the intersecting right-of-way lines.

- (2) Tree-lined streets. All streets shall be lined with trees on both sides with the exception of rural roads and alleys.
- (3) Street layout. The street layout shall form an interconnected system of streets primarily in a grid or modified pattern adapted to the topography, unique natural features, environmental constraints and peripheral open space areas. The street layout shall emphasize the location of neighborhood focus points, other internal open space areas, gateways and vistas. The use of cul-de-sacs and other roadways with a single point of access shall be minimized. The integration of traffic-calming features within and adjacent to residential areas shall be utilized when appropriate. To the greatest extent possible, streets shall be designed to have a maximum length of seven hundred (700) feet, from intersection to intersection.
- (4) Controlling street access. A strip of land between a dedicated street and adjacent property shall not be reserved for the purpose of controlling access to such street from such property.
- (5) Visibility at intersections. No shrubs, ground cover, berms, fences, structures or other materials or items greater than thirty (30) inches in height shall be planted, created or maintained at street intersections within the site distance triangle. Trees shall not be planted in the site distance triangle.
- (6) Pedestrian crossings at street intersections and mid-block. Pedestrian crossings shall be accessible to handicapped individuals, and mid-block crossings may be required at the direction of the Board of Trustees.
- (7) Horizontal alignment. Please refer to Section 503.4 in the *Design Standards and Construction Specifications, Town of Frederick, May 1, 2001*.
- (8) Vertical alignment. Please refer to Section 503.5 in the *Design Standards and Construction Specifications, Town of Frederick, May 1, 2001*.
- (9) Access. Access to all subdivisions shall be from a public street system. Driveways shall not be permitted to have direct access to arterials or state highways (principal arterials).
- (10) Street right-of-way dedication. The full width of right-of-way for all streets being platted must be dedicated to the Town. In cases where the perimeter streets have a portion of the proposed right-of-way on an adjacent property, the following standards will apply:
  - a. The subdivider shall either:
    1. Purchase the other one-half (½) of the proposed right-of-way property for the Town at the appraised fair market value and then dedicate the right-of-way to the Town; or
    2. If the landowner of the proposed right-of-way property is unwilling to sell the proposed right-of-way property to the subdivider for its appraised fair market

value, the subdivider shall pay for the cost of an appraisal for the proposed right-of-way property and legal fees for the Town Attorney to complete the condemnation process.

- b. The subdivider shall finalize an agreement with the Town which guarantees the construction of the street to Town standards.
- (11) Perimeter streets. When a street is dedicated which ends on the plat, the street right-of-way must be dedicated to the boundary of the plat.
- (12) Intersections. Intersections shall meet the following requirements unless otherwise approved by the Board of Trustees:
  - a. Intersections shall be provided at the following minimum offsets:
    1. State highway (principal arterial): In accordance with the State Highway Access Code.
    2. Arterial: Six hundred sixty (660) feet.
    3. Collector: Two hundred fifty (250) feet.
    4. Local: One hundred twenty-five (125) feet.
  - b. No more than two (2) streets shall intersect at one (1) point.
  - c. Streets shall intersect at ninety-degree angles, unless otherwise approved by the Board of Trustees.
- (13) Street names. Names of new streets shall not duplicate names of existing streets. However, new streets which are extensions of, or which are in alignment with, existing streets shall bear the names of such streets.
- (c) Street standards. The width of street right-of-way and the design of the street it contains shall conform to the following minimum standards. However, additional right-of-way and street width may be required based upon special development requirements, including but not limited to additional parking needs, sight distances and requirements for auxiliary lanes. Street cross-sections and the street designation (arterial, collector, local, rural local) within or adjacent to a development may be modified by the Town upon the recommendation of an approved development traffic study or Town-wide Transportation Master Plan.
  - (1) General design standards.
    - a. Streets, including curb and gutter, shall be designed and constructed in accordance with the *Design Standards and Construction Specifications, Town of Frederick, May 1, 2001* and this Article.
    - b. The layout of arterial and collector streets shall be in accordance with the *Transportation Map* in the Comprehensive Plan unless otherwise directed by the Board of Trustees.

- c. Where future extension of a street is anticipated, a temporary turnaround having a minimum outside diameter of one hundred (100) feet shall be provided.
  - d. The maximum allowable length of closed-end streets (cul-de-sacs) in single-family residential and multi-family residential developments shall be five hundred (500) feet or a maximum of fifteen (15) residential dwelling units.
- (2) State highways (principal arterial design). Right-of-way and road design shall be in accordance with the *Design Standards and Construction Specifications, Town of Frederick, May 1, 2001*.
- (3) Arterial streets design.
- a. Arterials shall be at one-mile intervals in both north-south and east-west directions, as illustrated on the *Transportation Map*.
  - b. Arterials shall be designed to accommodate present and future transportation requirements.
  - c. Arterial streets shall align and connect across intersecting arterials to distribute traffic and provide continuity.
  - d. Typical adjacent land uses.
    - 1. Business parks.
    - 2. Community commercial.
    - 3. District and community parks.
    - 4. High density residential land uses should be located near arterials with minimal travel through other land uses.
    - 5. Industrial developments should have highway access via the Town's arterial street system with minimal travel through other land uses.
    - 6. When residential lots are adjacent to and the houses do not face an arterial street, they shall be a minimum of one hundred fifty (150) feet deep and direct access to the street shall be limited. The setback to the house shall be a minimum of seventy-five (75) feet. Additional buffering techniques must also be applied such as those outlined in Section 2.17.
  - e. Right-of-way requirements (See Figure 2-8).
    - 1. One hundred (100) feet of right-of-way.
    - 2. Sixty-four-foot flowline width which includes: four (4) twelve-foot travel lanes, one (1) twelve-foot median and two (2) two-foot gutter pans.
    - 3. Two (2) nine-and-one-half-foot tree lawns.
    - 4. Two (2) eight-foot sidewalks.

5. Posted speed limit shall be between thirty-five (35) and forty-five (45) miles per hour.

(4) Collector streets.

- a. Within each one-mile arterial segment, collector streets shall divide the north-south and east-west arterials at approximately the half-mile point, as illustrated on the *Transportation Map*.
- b. Intersections of collector streets and arterial streets shall be aligned to distribute traffic and provide continuity for bike routes.
- c. Typical adjacent land uses.
  1. Agriculture.
  2. Business parks.
  3. Community parks.
  4. Industrial.
  5. Low, medium and high density residential.
  6. Middle and high schools.
  7. Neighborhood commercial.
- d. Right-of-way requirements for collector with parking (See Figure 2-9).
  1. Seventy (70) feet of right-of-way.
  2. Forty-foot flowline width which includes: two (2) twelve-foot travel lanes, one (1) twelve-foot center left turn lane, two (2) two-foot gutter pans.
  3. One (1) six-and-one-half-foot tree lawn adjacent to one (1) eight-foot sidewalk.
  4. One (1) nine-and-one-half-foot tree lawn adjacent to one (1) five-foot sidewalk.
  5. Posted speed limit shall be thirty (30) miles per hour.

(5) Local streets.

- a. Local streets shall generally follow a modified grid pattern adapted to the topography, unique natural features, environmental constraints and peripheral open space areas. These streets shall generally parallel the arterial and collector street system, provide a variety of route options, interconnect to allow traffic to disperse in an equitable manner and be as narrow as possible without sacrificing the ability to accommodate expected traffic and services.

- b. Local streets must provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them.
- c. Typical adjacent land uses.
  - 1. Business parks.
  - 2. Elementary schools.
  - 3. Pocket parks.
  - 4. Neighborhood parks.
  - 5. Residential.
- d. Right-of-way requirements for Local With Detached Sidewalk (See Figure 2-11).
  - 1. Fifty-four (54) feet of right-of-way.
  - 2. Thirty-foot flowline width which includes: Sixteen (16) feet for two (2) intermittent travel lanes and two (2) seven-foot parking lanes (each has one [1] two-foot gutter pan).
  - 3. Two (2) six-foot tree lawns.
  - 4. Two (2) five-foot sidewalks.
  - 5. Posted speed limit shall be twenty-five (25) miles per hour.
  - 6. Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-twenty-four-foot diameter right-of-way.
- e. Right-of-way requirements for Local With Attached Sidewalk Option "A" (See Figure 2-12).
  - 1. Fifty-four (54) feet of right-of-way.
  - 2. Thirty-foot flowline width which includes: Sixteen (16) feet for two (2) intermittent travel lanes and two (2) seven-foot parking lanes (each has one [1] two-foot gutter pan).
  - 3. Two (2) five-foot sidewalks.
  - 4. Two (2) seven-foot tree lawns.
  - 5. Posted speed limit shall be twenty-five (25) miles per hour.
  - 6. Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-twenty-four-foot diameter right-of-way.
- f. Right-of-way requirement for Local With Attached Sidewalk Option "B" (See Figure 2-13).

1. Sixty (60) feet of right-of-way.
2. Thirty-six-foot flowline width which includes: Two (2) eleven-foot travel lanes and two (2) seven-foot parking lanes (each has one [1] two-foot gutter pan).
3. Two (2) five-foot sidewalks.
4. Two (2) seven-foot tree lawns.
5. Posted speed limit shall be twenty-five (25) miles per hour.
6. Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-twenty-four-foot diameter right-of-way.

(6) Rural local street.

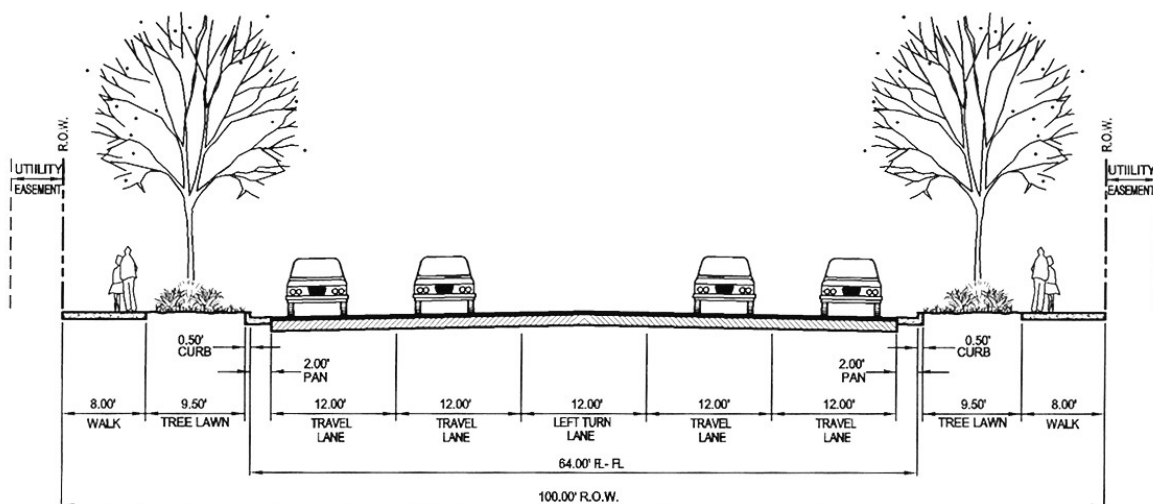
- a. Rural local streets are intended to serve areas defined as rural subdivisions as shown on the *Land Use Overlay District Map* in Section 2.6 and other appropriate rural locations as approved by the Board of Trustees.
- b. A driveway access crossing the borrow ditch of a rural local street shall contain a culvert of sufficient size to safely pass the designed stormwater drainage flows. A portion of the borrow ditch may fall outside of the rural local road right-of-way in order to obtain a borrow ditch cross-section sufficient to contain the designed storm water flows and/or to be sufficient in depth for the driveway access culvert.
- c. Typical adjacent land uses.
  1. Agriculture.
  2. Rural subdivisions.
- d. Right-of-way requirements for Rural Local (See Figure 2-14).
  1. Sixty (60) feet of right-of-way.
  2. Twenty-four (24) feet of asphalt pavement which includes: Two (2) twelve-foot travel lanes.
  3. Two (2) four-foot paved shoulders.
  4. Two (2) fourteen-foot borrow ditches.
  5. Posted speed limit shall be twenty-five (25) miles per hour.
  6. Cul-de-sac: One-hundred-foot diameter flowline and one-hundred-thirty-six-foot diameter right-of-way.

(7) Alleys.

- a. Alleys shall be treated as public ways, and any lot having access from an alley shall also front upon a public street.

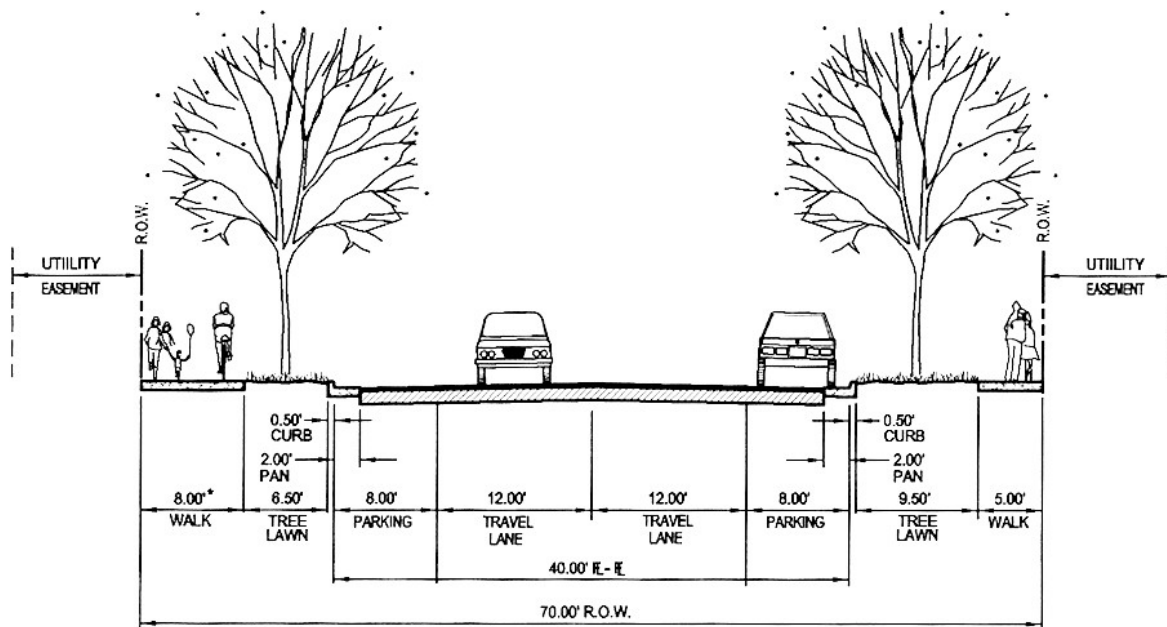
- b. Garages, accessory dwellings above garages and rear yards may access the collector and local street system via an alley with minimal travel through other land uses.
- c. Typical adjacent land uses.
  1. Accessory units above garages.
  2. Garages.
  3. Parking lots with landscaped edges.
  4. Rear yards.
- d. Right-of-way requirements for Alley (See Figure 2-15).
  1. Twenty (20) feet of right-of-way.
  2. Fifteen (15) feet of pavement width.
  3. Two (2) two-and-one-half-foot gravel shoulders.

**Figure 2-8**  
**Arterial Cross-Section**



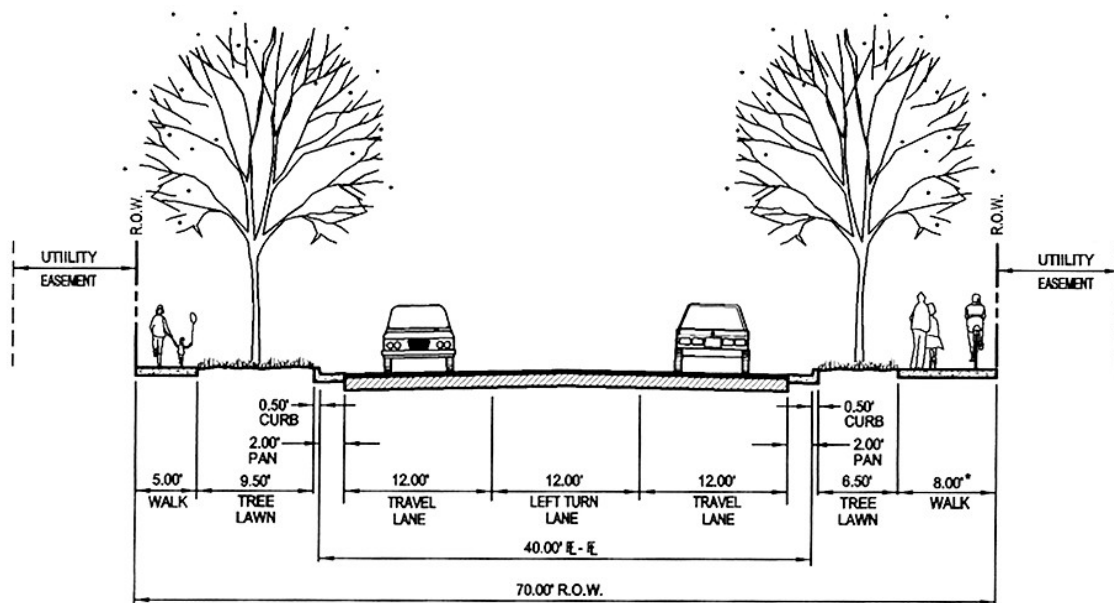
\* One side of the street to have an 8-foot sidewalk, which side will be determined at the time of preliminary plat.

Figure 2-9  
Collector With Parking Cross-Section



\* One side of the street to have an 8-foot sidewalk, which side will be determined at the time of preliminary plat.

Figure 2-10  
Collector Without Parking Cross-Section



\* One side of the street to have an 8-foot sidewalk, which side will be determined at the time of preliminary plat.

Figure 2-11  
Local With Detached Sidewalk Cross-Section

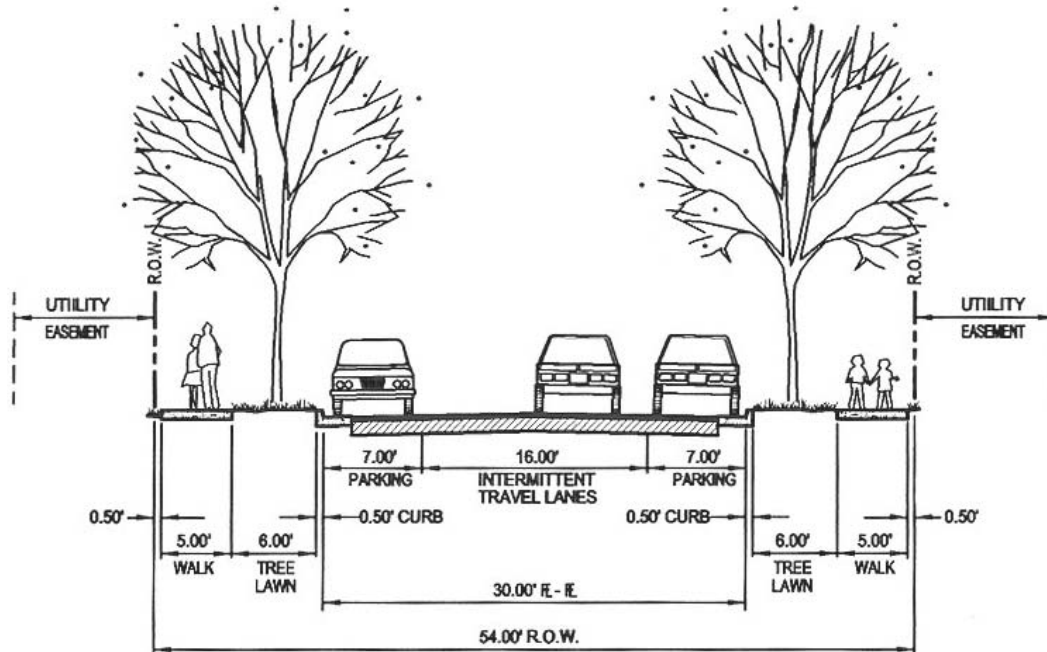


Figure 2-12  
Local With Attached Sidewalk Option "A" Cross-Section

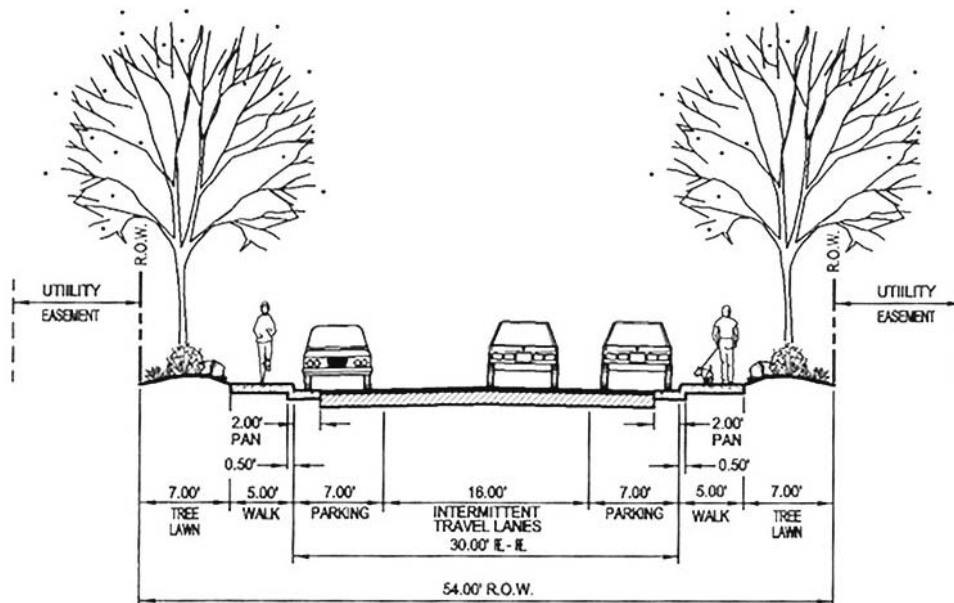


Figure 2-13  
Local With Attached Sidewalk Option "B" Cross-Section

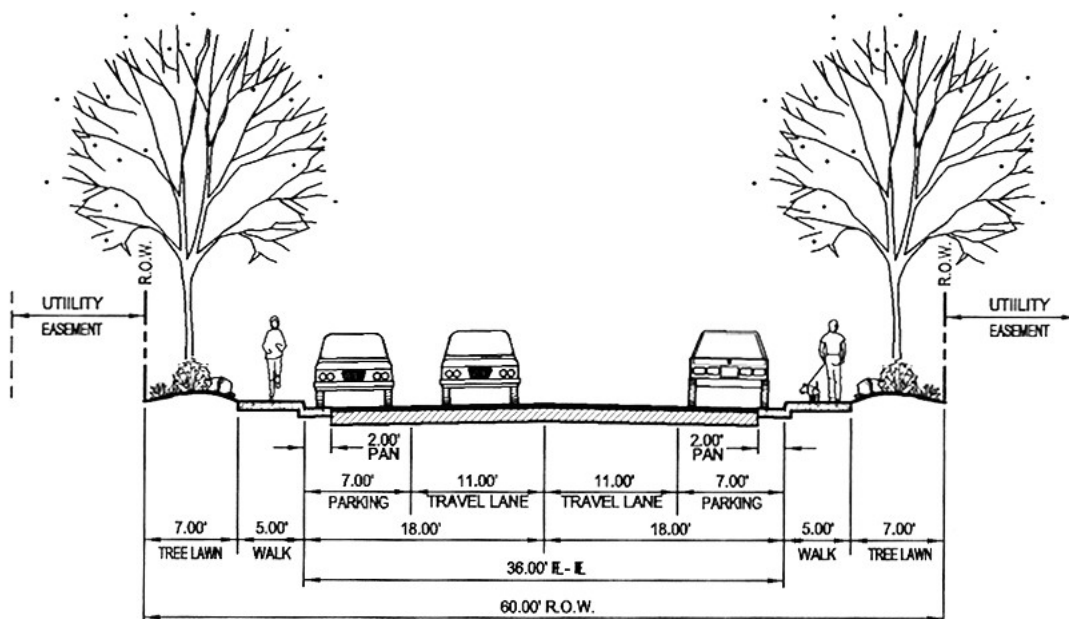


Figure 2-14  
Rural Local Cross-Section

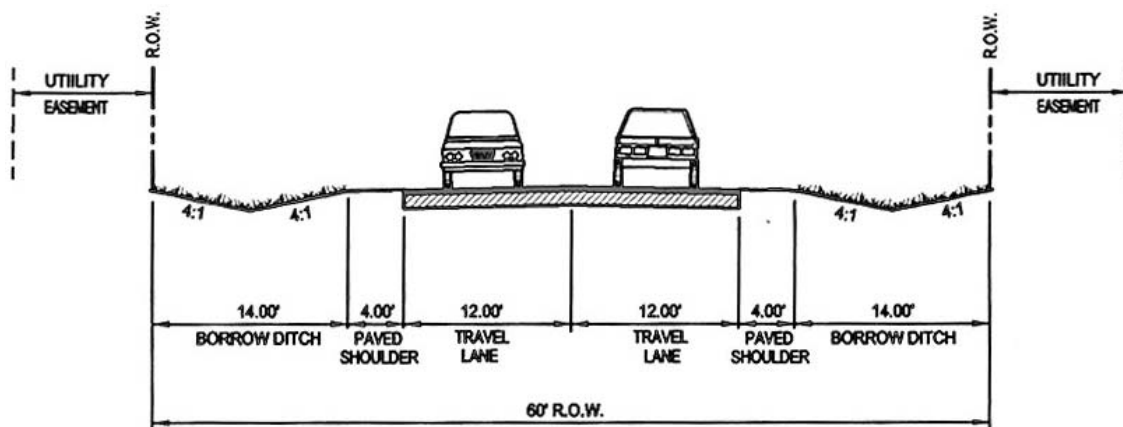
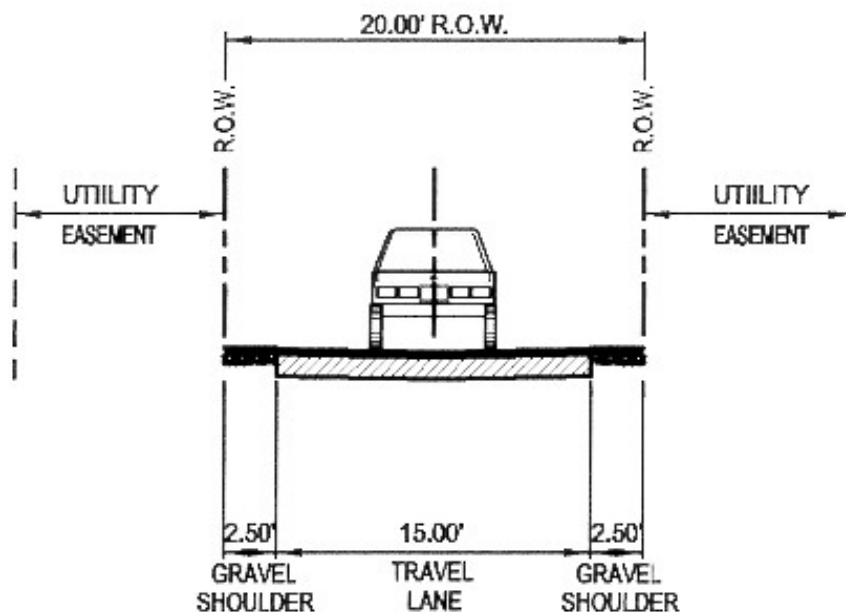


Figure 2-15  
Alley Cross-Section



#### Sec. 2.10. Parking.

- (a) Intent. The intent of this Section is to provide adequate parking for motor vehicles while minimizing the visual impact of parking lots and structures.
- (b) General provisions.
  - (1) In all zone districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.
  - (2) Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar materials.
  - (3) Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage.
  - (4) Location. Parking lots shall be located to the rear or side of buildings or in the interior of a block whenever possible.
  - (5) Landscaping. Parking lots shall be landscaped, screened and buffered as provided in Sections 2.16 and 2.17.

- (6) Share-access. Where feasible, parking lots shall share access drives with adjacent property with similar land uses.
  - (7) Off-street parking design. Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility or other structure.
  - (8) Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.
  - (9) Lighting. All parking area lighting shall be full cutoff-type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties, and away from the vision of passing motorists.
  - (10) Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.
  - (11) Adjacent on-street parking in B-1, C-N and Mixed Use districts. In order to promote a pedestrian scale and encourage a perception of safety in the B-1 Business, C-N Neighborhood Commercial and Mixed Use Districts, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.
- (c) Paved off-street parking requirements. Paved off-street parking shall be provided according to the minimum requirements as specified below:

PAVED OFF-STREET PARKING	
USE	REQUIRED PARKING Must be outside of rights-of-way
1. Single-family detached	2 spaces per unit
2. Townhouse and duplex	1 space per bedroom, up to 2 per unit
3. Apartment dwellings	1 space per bedroom, up to 2 per unit
4. Accessory dwellings	1 space per bedroom, up to 2 per unit
5. Retail	1 space for every 500 square feet of gross floor area*
6. Office/ business uses	1 space for every 500 square feet of gross floor area*
7. Institutional/ churches	1 space for every 6 seats
8. Business park/ industrial	1 space each for the maximum number of employees present at any one time*

\* Off-street parking for commercial uses shall be sufficient to provide parking for employees of all proposed uses, as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage. Parking shall be located at the rear and sides of buildings to the greatest extent possible and screened from the view of streets as provided by Section 2.17. Required parking in the B-1 district can be met with on-street and shared parking.

(d) Location of spaces.

- (1) Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve.
- (2) Required off-street parking in residential zones shall not lie within the front yard setback nor within any required side yard setback adjacent to a street. (Driveway spaces within these setbacks can not be counted for required off-street parking.)
  - a. The location of required off-street parking facilities for other than residential uses shall be within seven hundred (700) feet of the building they are intended to serve when measured from the nearest point of the building or structure.
  - b. Except within a garage or in conjunction with an approved affordable housing project, tandem parking is not allowed to meet required off-street parking requirements.
  - c. Garages or required off-street parking spaces shall be set back twenty-two (22) feet from the back of the sidewalk.

(e) Handicap parking spaces.

- (1) Handicap parking spaces shall be required for all retail, office, business, industrial and institutional uses, as well as multi-family units.
- (2) Handicap parking spaces shall be designated as being for the handicapped with painted symbols and standard identification signs.

- (3) Handicap parking spaces shall be located as close as possible to the nearest accessible building entrance.
- (4) Number of handicap parking spaces:

<b>HANDICAP PARKING SPACES</b>	
<b>Total Parking Spaces in Lot</b>	<b>Minimum Required Number of Handicap Parking Spaces</b>
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2% of total
1,001 and over	20 plus 1 for every 100 over 1,000

For every eight (8) handicap parking spaces, there must be at least one (1) van-accessible space. If there is only one (1) handicap parking space, that space must be van-accessible.

(f) Handicap parking space dimensions.

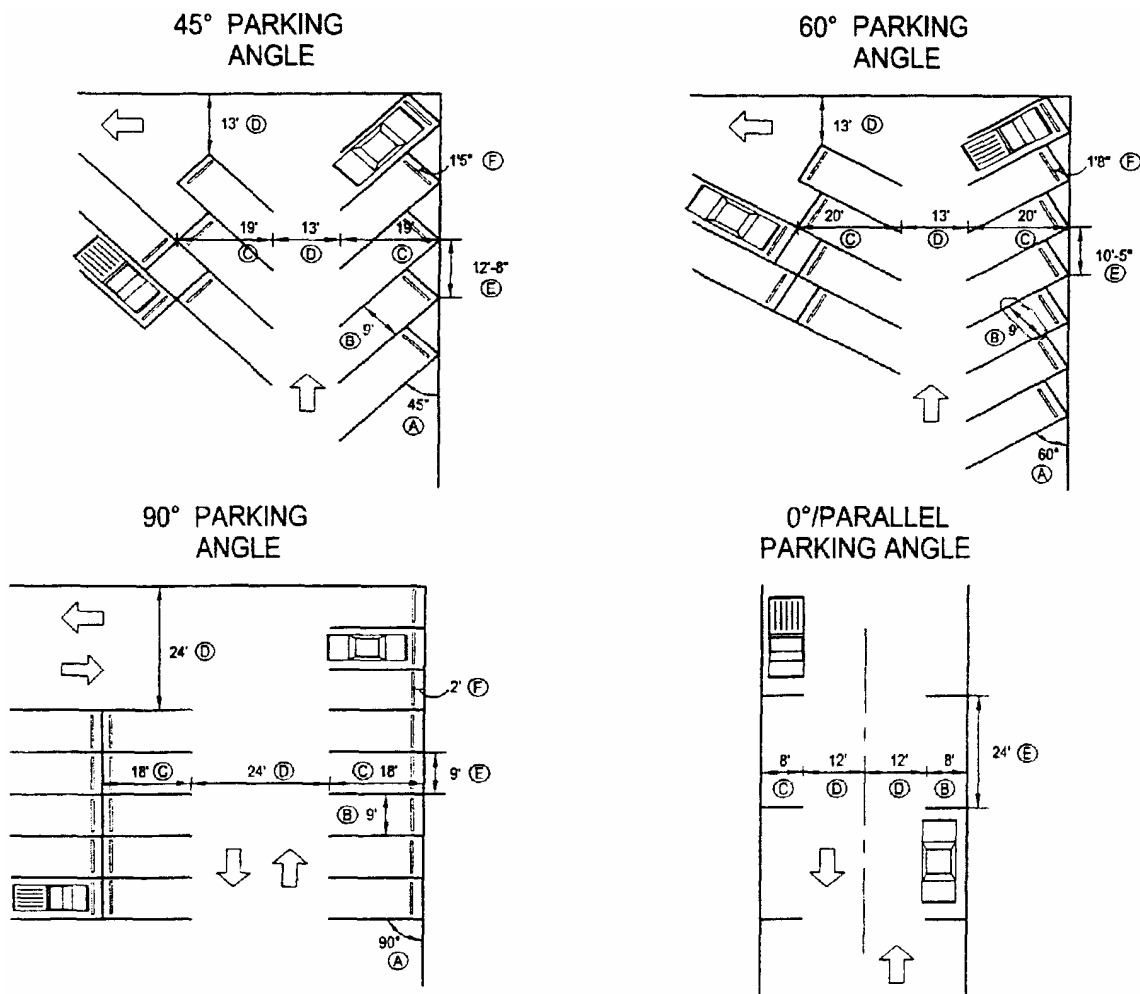
- (1) Parking spaces must be eight (8) feet by eighteen (18) feet with a five-foot-wide access aisle.
- (2) Van-accessible spaces must be eight (8) feet by eighteen (18) feet with an eight-foot-wide access aisle.
- (3) Parking spaces for the physically handicapped that are parallel to a pedestrian walk which is handicap-accessible may have the same dimensions as those for standard vehicles.

(g) Parking stall dimensions. Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space.

PARKING STALL DIMENSIONS					
Parking Angle (A)	Stall Width (B)	Stall to Curb (C)	Aisle Width (D)	Curb Length (E)	Overhang (F)
45E	9'	19'	13'	12' 8"	1' 5"
60E	9'	20'	13'	10' 5"	1' 8"
90E	9'	18'	24'	9'	2'
0E(parallel)	8' *	8' *	12'	24'	0'

\*Except along local streets where 7' is permitted.

Figure 2-16  
Parking Angles



- (h) Bicycle parking spaces. Commercial, industrial, civic, employment, multi-family and recreational uses shall provide bicycle facilities to meet the following standards:
  - (1) A minimum number of bicycle parking spaces shall be provided, equal in number to two percent (2%) of the total number of automobile parking spaces provided by the development, but not less than one (1) space.
  - (2) For convenience and security, bicycle parking facilities shall be located near building entrances. Within downtown commercial areas, however, a grouping of spaces shall be utilized as directed by the Town.
  - (3) Bicycle parking facilities shall be designed to allow the bicycle frame and both wheels to be securely locked to a parking structure which is permanently attached to the pavement.
- (i) Parking restrictions for excess weight vehicles, recreational vehicles and utility trailers.
  - (1) Definitions.
    - a. An *excess weight vehicle* is defined as any vehicle having a gross vehicle weight in excess of ten thousand (10,000) pounds. Emergency vehicles and school buses are specifically excluded from this definition. *Excess weight vehicle* does not include semitrailer or truck-tractor, as those terms are defined in Section 8-40(a) of the Frederick Municipal Code.
    - b. A *recreational vehicle* is defined as any vehicle which may be used for recreational or personal purposes and shall include, but not be limited to, a boat, motor home, camper trailer, detached camper or detached trailer of any design, whether commercially manufactured or homemade. *Recreational vehicle* includes any trailer used to transport any recreational vehicle.
    - c. A *utility trailer* is defined as any trailer, commercially manufactured or homemade, that is used to haul any matter or material, whether for business or personal purposes.
  - (2) Prohibitions.
    - a. The owner or operator of any excess weight vehicle, recreational vehicle or utility trailer shall not park such vehicle on any public right-of-way, including any street, alley or public parking lot, except:
      - 1. During the loading or unloading of such vehicle when completed without delay; or
      - 2. When the owner of said vehicle, or his or her employee, is engaged in business in a commercial enterprise located within five hundred (500) feet of the vehicle.
    - b. An owner or occupant of private property may park or store on such property any combination of three (3) vehicles from the following three (3) categories: excess weight vehicle, recreational vehicle and utility trailer. Unless parked or stored in an approved structure, such vehicles shall be parked or stored in the back yard of the

property. One (1) such vehicle may be parked in the front driveway of the property. No excess weight vehicle, recreational vehicle or utility trailer may be parked in such a manner as to create a traffic hazard.

- c. No person shall use any excess weight vehicle, recreational vehicle or utility trailer for storage, while stored or parked.
- d. No person shall use any excess weight vehicle, recreational vehicle or utility trailer for the operation of a business or residence, while stored or parked.
- e. No mobile home may be located permanently or temporarily in any residential area unless said area is zoned for the same. (Ord. 704 §2, 2003; Ord. 720 §2, 2004)

#### **Sec. 2.11. Sidewalks, multi-use pathways and trails.**

- (a) Intent. The intent of the standards for sidewalks, multi-use pathways and trails is to assure a safe, convenient and attractive pedestrian/ bicycle system that minimizes conflicts between vehicles, bicycles and pedestrians.
- (b) General provisions.
  - (1) Interconnected network. A sidewalk network that interconnects all dwelling units with other dwelling units, nonresidential uses and common open space shall be provided throughout each development. Sidewalks shall be separate and distinct from motor vehicle circulation to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.
  - (2) Sidewalks required. In all zone districts, except for the E-1, E-2, A-1, A-2 and T districts, sidewalks are required along both sides of a street.
  - (3) Sidewalk width. Sidewalks shall be a minimum of five (5) feet wide along local streets; a minimum of five (5) feet wide along one (1) side and eight (8) feet wide along the other side of collector streets; and a minimum of eight (8) feet wide along arterial streets. Sidewalks adjacent to storefronts in commercial areas shall be ten (10) to fifteen (15) feet in width, or consistent with the average sidewalk width on a block if building in an area with existing sidewalks.
  - (4) Sidewalk location. Sidewalks shall be located within the right-of-way unless otherwise authorized by the Board of Trustees.
  - (5) Sidewalk materials.
    - a. The acoustic, thermal, visual and tactile properties of sidewalk paving materials shall be appropriate to the proposed functions of pedestrian circulation. Sidewalks shall be constructed of concrete, brick, slate, colored/textured concrete pavers, concrete containing accents of brick, or some combination thereof that is compatible with the style, materials, colors and details of the surrounding buildings. Asphalt shall not be used for sidewalks.

- b. Sidewalks must be constructed of approved materials of sufficient strength to support light maintenance vehicles. If used as a secondary emergency access, sidewalks must also be able to support a fire truck (sixty thousand [60,000] lbs.). Please refer to the *Town of Frederick Standards and Specifications* for additional sidewalk construction standards.
- (6) Sidewalk installation. Sidewalks and related improvements shall be installed or constructed by the subdivider in accordance with plans and specifications approved by the Town and, after installation or construction, they shall be subject to inspection and approval by the Town. All required improvements shall be completed in accordance with the officially established grades.
- (7) Accessibility. Sidewalks and plazas shall be accessible to handicapped individuals. (Refer to Americans with Disabilities Act [ADA] requirements.)
- (8) Walkways. Walkways through a subdivision block shall be not less than eight (8) feet in width, shall be within a dedicated right-of-way not less than twenty (20) feet in width, and shall be flanked with appropriate landscaping and lighting. Walkways along buildings and within parking lots shall be raised and curbed, where suitable. A direct pedestrian connection to building entries, public space and parking areas shall be provided from public sidewalks. Walkways shall be constructed of the same materials as sidewalks, except that walkways internal to asphalt surfaced parking lots may be of asphalt construction. Walkways crossing driveways in parking lots shall be clearly delineated by a change in pavement color or texture or paint striping. Please refer to the *Town of Frederick Standards and Specifications* for additional sidewalk construction standards.
- (9) Lighting. All sidewalks and other pedestrian walkways shall have appropriate lighting, using poles and fixtures consistent with the overall design theme for the development.
- (10) Multi-use pathways (bikeways). Multi-use pathways shall be provided to link internal open space areas with peripheral open space areas and shall connect to multi-use pathway routes throughout the community. Multi-use pathway routes shall be designated between residential areas and commercial and employment centers and schools. Multi-use pathways on local streets may be delineated by painted "bicycle only" lanes. Sidewalks that may be used as a multi-use pathway are required on arterial and collector streets. All other multi-use pathways shall be a minimum of eight (8) feet wide and shall be of concrete construction or, where approved by the Board of Trustees, compressed gravel. Asphalt paving is prohibited. Bike racks shall be provided at the entry to internal and peripheral open space areas.
- (11) Trails. Trails shall be provided within and surrounding open space areas and connecting open space areas. Trails shall be a minimum of eight (8) feet in width and shall be of concrete construction. A trail may be flanked on one (1) side by a soft surface path a minimum of four (4) feet in width. The soft surface path shall be constructed with a minimum depth of eight (8) inches of compressed gravel, crowned and compacted with edging to contain trail material.

**Sec. 2.12. Easement and utility standards.**

- (a) Utility easement width. Utility easements shall measure ten (10) feet on each side of abutting rear lot lines. On subdivision perimeter rear lot lines adjacent to unsubdivided property, utility easements shall measure ten (10) feet in width. In the event that the location of utility easements adjacent to rear property lines is unsuitable for use by utility companies due to drainage, irrigation ditches or other obstructions, the subdivider shall provide like-width easements adjacent to said areas of obstruction. Side lot line easements, where necessary, shall measure ten (10) feet in full width; five (5) feet on either side of a lot line is acceptable. Front lot line easements shall measure ten (10) feet in width. Easements may be more or less than widths stated if the specific utility indicates in writing a width other than those required by this Code. Utility easements shall be subject to the approval of the Town or applicable utility company.
- (b) Multiple installations within easements. Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations.
- (c) Underground utilities. Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. The subdivider shall be responsible for complying with the requirements of this Section, and shall make the necessary arrangements, including any construction or installation charges with each utility provider for the installation of such facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing is required to the satisfaction of the Board of Trustees. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Such facilities shall be placed within easements or public streets, as therein provided, or upon private easements or rights-of-way provided for particular facilities. (Refer to Section 2.9, Streets; utility easements have been identified outside the right-of-way in order to accommodate the location of street trees.)
- (d) Street lighting. Street lighting and associated underground street lighting supply circuits shall be installed. The minimum requirement shall be two-hundred-fifty-watt sodium vapor lamps at a maximum spacing of four hundred (400) feet for local streets. Arterial streets and commercial areas shall have a higher level of lighting as determined by the Board of Trustees. Street lighting shall also comply with Section 2.21.

**Sec. 2.13. Parks and open space.**

- (a) Intent. The intent of this Section is to ensure that a comprehensive, integrated network of parks and open space is developed and preserved as the community grows.
- (b) Types of parks and open space.
  - (1) Plazas. A plaza is typically located in a commercial or industrial area to serve as a gathering place. A plaza is usually bordered by civic or private buildings. Plazas may range from very active places with adjacent complementary uses such as restaurants and cafes, to quiet areas with only seating, formal landscape plantings and amenities such as

fountains or public art. Developers are responsible for developing and providing the appropriate amenities for each plaza.

(2) Pocket parks.

- a. Pocket parks provide places within walking distance of residential units for supervised play for young children and unstructured activities for neighborhood residents. Developers must provide the land and develop a one-acre pocket park for every two hundred (200) residential units. At a minimum, a pocket park shall include live ground cover, trees and irrigation plus one (1) of the following: playground equipment, contemplative garden or other active or passive recreation opportunities for the neighborhood.
- b. Projects with less than two hundred (200) units must provide a pocket park or demonstrate that they are within one-quarter ( $\frac{1}{4}$ ) mile of a neighborhood park. If credit is taken for proximity to a neighborhood park, the developer must provide a cash-in-lieu equivalent for its pro rata share of the cost of land and improvements for a pocket park (i.e., provide twenty-five percent [25%] of a pocket park for fifty [50] units).
- c. The land and amenities of a pocket park may be added to a centrally located neighborhood park. The pocket park amenities placed in a neighborhood park must be within one-quarter ( $\frac{1}{4}$ ) mile of the sub-neighborhood's two hundred (200) residences served. For example a neighborhood park serving a neighborhood of four hundred (400) residences shall have two (2) pocket park amenity pods, located to conveniently serve each of the sub-neighborhoods.

(3) Neighborhood parks. Neighborhood parks are places for recreation and social gatherings that are within walking distance of most residents. These parks can include multiple-use lawn areas, picnic areas, playground equipment, court game facilities and community gardens. The general locations for each four-to-six-acre neighborhood park are shown on the Land Use and Public Facilities Map. Every residential development shall either provide land for a neighborhood park or provide a fair share, cash-in-lieu contribution for the park that will serve the neighborhood. This can be credited toward the twenty-percent land dedication required at the time of subdivision. Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of Article 2, Community Design Principles and Development Standards, and the Frederick Comprehensive Plan. Neighborhood parks shall be developed and maintained by the applicant.

(4) Community parks. Community parks serve the residents of several neighborhoods. Community parks are to be located on or near arterial streets at the edge of residential areas or in nonresidential areas to minimize the impact of organized recreational activities such as lighted ball fields. The general locations for community parks are shown on the Frederick Comprehensive Plan and Public Facilities Map. Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of Article 2, Community Design Principles and Development Standards, and the Frederick Comprehensive Plan. Dedication of a community park may be credited towards the twenty-percent land dedication required at the time of subdivision. Community parks shall be developed by the applicant and maintained by the Town.

- (5) District parks. District parks serve the residents of the entire Town, as well as people who live outside of the community. These parks are located to take advantage of special natural settings. Refer to the Frederick Comprehensive Plan and Public Facilities Map for more specific locations. District parks provide recreational opportunities such as fishing, canoeing and wildlife viewing. Developers providing land shall submit a conceptual design for the park to demonstrate that it meets the intent of Article 2, Community Design Principles and Development Standards, and the Frederick Comprehensive Plan. Dedication of a district park can be credited towards the twenty-percent land dedication required at the time of subdivision. District parks shall be developed by the applicant and maintained by the Town.
- (6) Trails. The trail system shall link neighborhoods, parks, schools, open spaces, employment centers, community facilities and neighboring communities and thus provide important transportation connections, as well as recreational opportunities and access. Developers must provide trails in all areas designated "Parks and Trails" on the Land Use and Public Facilities Map, as well as connections to the Town's trail system and destinations within the neighborhood.
- (7) Regional open space. The Town's regional open space system includes: Godding Hollow drainage, the land to the west and north of Milavec Lake, floodplains, drainage ways, natural areas, natural area buffer zones, wetlands, subsidence areas, agriculture preservation areas and lands of archeological or historic significance. Access is generally limited to trails, educational signs and similar improvements.
- (8) Storm drainage facilities. Storm drainage facilities, including stormwater detention and stormwater retention ponds, may function as open space for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately. Credit toward the open space dedication requirements will be considered on a case-by-case basis by the Board of Trustees at the time of platting.

(c) General provisions.

- (1) Open space should serve as the neighborhood focus. Open space, such as the Godding Hollow drainage way and developed parks and plazas, shall be used to organize and focus lot, block and circulation patterns and to enhance surrounding development. Street, block, lot and building patterns shall respond to the views, landscape and recreational opportunities provided by the open space.
- (2) Public access. Areas designated as public open space shall be both visibly and physically accessible to the community. Public access shall be provided to all public open space, natural and developed, directly from the public street and trail system. Open space areas shall be bounded along at least fifty percent (50%) of the perimeter by a street, except for pocket parks and plazas, unless otherwise authorized by the Board of Trustees. Pocket parks and plazas shall be integrated into the neighborhood design and be accessible to pedestrians and bicyclists.
- (3) Buildings shall front public open space. Development adjacent to open spaces shall front onto the area as much as possible, so that the areas are not enclosed by back yards. In the case of rural subdivisions, open space frontage shall be appropriate to the design and character of the development. Open space and trail areas shall have a minimum of three

hundred (300) feet of street frontage unless otherwise authorized by the Board of Trustees.

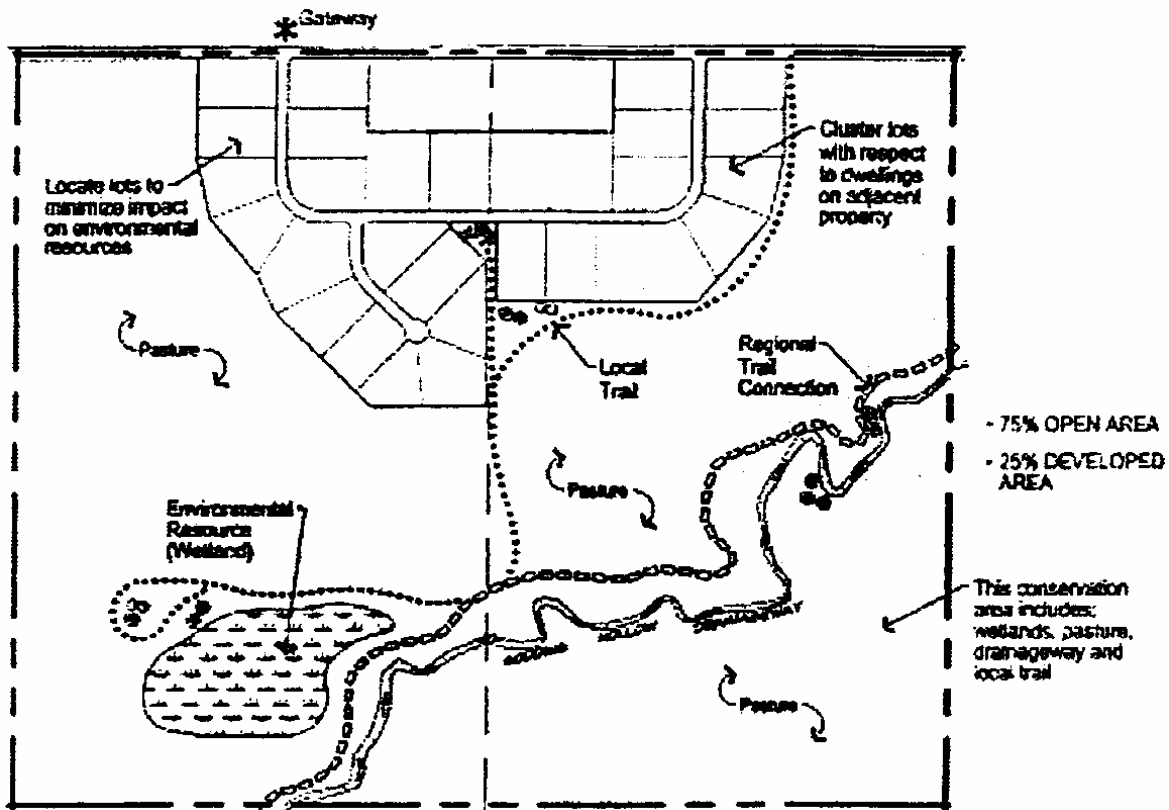
- (4) Buffering. Appropriate buffering and setbacks shall be used between environmental resources and proposed development to ensure that the proposed development does not degrade the existing habitat. Developers shall provide an open space buffer zone around all natural areas unless otherwise authorized by the Board of Trustees (refer to Section 2.22 for further information about natural area buffer zones). The size of the buffer zone shall be in accordance with studies prepared by the Colorado Division of Wildlife or a qualified wetland/wildlife ecologist employed by the Town and paid for by the developer.
- (5) Open space uses. Uses designated within the open space shall be appropriate to the context and character of the site and the intensity of the proposed development.
- (6) Ownership and maintenance of open space. Ownership and maintenance of public open space shall be determined by the Town on a case-by-case basis through the review process.
  - a. Generally, the Town shall own and maintain neighborhood parks, community parks, district parks and public trails.
  - b. Pocket parks shall be owned by the Town and maintained by a homeowners' association or the landowner.
  - c. Landscaped outlots and private recreational facilities shall be owned and maintained by a homeowners' association or the landowner.
  - d. Environmentally sensitive, archaeological and historic resources may be dedicated to the Town and maintained by the Town if approved by the Board of Trustees.
  - e. Conservation areas set aside as part of a rural subdivision shall be owned and maintained by the homeowners' association.
  - f. Stormwater detention and retention areas that function as open space shall be owned and maintained by a homeowners' association or the landowner, unless otherwise approved by the Town.
  - g. Areas designated as open space shall be maintained according the designated function of the area. *Applicants shall work with the National Resources Conservation Service to develop a management plan which addresses: irrigation, revegetation, erosion control and weed management.* If the area is to remain in private ownership, a mechanism which will assure that maintenance will be funded in perpetuity must be in place at the time of the final plat.
- (7) Open space protection. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and remain open in perpetuity. They may be dedicated to the public or held in private ownership. Appropriate ownership will be determined through the review process in cooperation with the landowner. Future use may include recreational or agricultural activities if approved by the Town.

## (d) Open space requirements.

- (1) Open space requirements are intended to provide a unified network of public and private facilities to serve the needs of the residents. Public land dedication requirements are identified in Section 2.14. Additional land dedication is required for schools as outlined in Section 2.15. Open space includes both private and public lands as follows:
  - a. Areas within the community designated for the common use of the residents of an individual development and/or the community at large;
  - b. Areas designated for preservation and protection of environmental resources, including floodplains, natural drainage ways and wetland areas;
  - c. Areas impacted by subsidence;
  - d. Areas designated for agricultural preservation; and
  - e. Areas of archeological and historic significance.
- (2) Open space shall not include the following:
  - a. Required setback areas around oil and gas production facilities;
  - b. Disconnected remnants of land created by division of sites into lots or parcels that do not qualify as functional open space or that preserve environmental resources, unless approved by the Board of Trustees;
  - c. Private yards;
  - d. Tree lawns in street rights-of-way; or
  - e. Required parking lot landscaping associated with all uses, except parking specifically designated for access to open space areas and within commercial/industrial projects.
- (3) Amount of open space required. The amount of functional open space required in each development will be based on the density of the development, the recreational requirements of the anticipated users and the anticipated opportunities for public recreation within walking distance of the site (one-quarter [ $\frac{1}{4}$ ] mile). However, all residential developments shall dedicate a minimum of twenty percent (20%) of the gross land area for public parks, trails, open space or other civic purposes at the time of subdivision. Nonresidential developments shall dedicate twelve percent (12%) of the gross land area for public parks, trails, open space and other civic purposes at the time of subdivision. This dedication can be credited toward the overall open space required for the subdivision.
  - a. Rural subdivision. The developer shall provide a minimum of twenty percent (20%) of the gross land being subdivided as functional open space, which may include

agricultural land, natural areas, drainage ways, floodplains, subsidence areas, trails and other civic purposes.

Figure 2-17  
Rural Subdivision



- b. Rural subdivision with density bonus. The developer shall provide a minimum of seventy-five percent (75%) of the gross land being subdivided as functional open space, which may include agricultural land, natural areas, drainage ways, floodplains, subsidence areas, trails and other civic purposes. See Figure 2-17.
- c. Single-family residential developments. The developer shall provide:
  1. A minimum of twenty percent (20%) of the gross land being subdivided as functional open space which may include: pocket parks, plazas, trails, recreational amenities, homeowner' association-owned landscaped areas (excluding parking lots), natural areas and amenities for residents or other civic purposes;
  2. One (1) centrally located pocket park for every two hundred (200) residential units;
  3. The land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes (general locations are shown on the *Land Use Public Facilities Map*); or a fair-share, cash-in-lieu contribution for the cost of the neighborhood park that will serve the development; and

4. An internal trail system and the trails designated on the *Land Use and Public Facilities Map*.
- d. Multi-family residential developments. The developer shall provide:
1. A minimum of twenty-five percent (25%) of the gross land being subdivided as functional open space which may include: pocket parks, plazas, trails, recreational amenities, homeowner' association-owned or landowner-owned landscaped areas (excluding parking lots), natural areas and amenities for residents or other civic purposes;
  2. One (1) centrally located pocket park for every two hundred (200) residential units;
  3. The land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes (general locations are shown on the *Land Use and Public Facilities Map*); or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and
  4. An internal trail system and trails designated on the *Land Use and Public Facilities Map*.
- e. R1-A developments. The developer shall provide:
1. A minimum of twenty-five percent (25%) of the gross land being subdivided as functional open space, which may include: pocket parks, plazas, trails, recreational amenities, homeowners' association-owned landscaped areas (excluding parking lots), natural areas and amenities for residents or other civic purposes;
  2. One (1) centrally located pocket park for every two hundred (200) units;
  3. The land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes (general locations are shown on the *Land Use and Public Facilities Map*); or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and
  4. An internal trail system and trails designated on the *Land Use and Public Facilities Map*.
- f. Commercial and industrial developments. The developer shall provide:
1. A minimum of twenty percent (20%) of the gross land being subdivided as functional public or private open space, which may include: plazas, trails, landscaped areas (including parking lots), recreational amenities, natural areas and other civic purposes; and
  2. An internal trail system and trails designated on the *Land Use and Public Facilities Map*.

- g. Planned unit developments (PUD). The developer shall provide:
  - 1. A minimum of twenty-five percent (25%) of the gross land being developed as common functional open space, which may include: pocket parks, trails, homeowners' association-owned or landowner-owned landscaped areas (excluding parking lots), natural areas and amenities for residents and other civic purposes;
  - 2. One (1) centrally located pocket park for every two hundred (200) residential units;
  - 3. Land for one (1) neighborhood park within a one-quarter-mile radius of the proposed homes (general locations are shown on the *Land Use and Public Facilities Map*); or a fair-share, cash-in-lieu contribution for the neighborhood park that will serve the development; and
  - 4. An internal trail system and trails designated on the *Land Use and Public Facilities Map*.
- (4) Open space and ecological characterization plans. All land development applications with the exception of plot plan applications for individual single-family residences shall be accompanied by the appropriate open space plan. Each land development application shall include an ecological characterization report to determine if additional areas within the development shall be preserved. Refer to Section 2.22 for a description of the ecological characterization report requirements. The following information shall be included with the landscape plans or submitted as a separate map.
  - a. Conceptual open space and ecological characterization plan (submit with subdivision sketch plan). The intent of the conceptual open space and ecological characterization plan is to identify the resources on a site and show how they are integrated into the overall design for the project and the neighborhood. This information shall be included on the sketch plan map or combined with the landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 200'. The conceptual open space and ecological characterization plan shall contain the following:
    - 1. A verbal and graphic description of the design intention and how the open space will function; and
    - 2. Specific information required on the conceptual plan as listed in the table which follows.
  - b. Preliminary open space and ecological characterization plan (submit with subdivision preliminary plat). The intent of the preliminary open space and ecological characterization plan is to discuss the details of how the open space will be used to organize the overall project design, illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. Information shall be included on the preliminary landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 100'. The preliminary open space and ecological characterization plan shall contain the following:

1. A description of the design intention and how the proposal is consistent with the purpose and intent of this Section; and
  2. Specific information required on the preliminary plan as listed in the table which follows.
- c. Final open space plan and ecological characterization plan (submit with subdivision final plat). The intent of the final open space and ecological characterization plan is to ensure that all phases of the final open space plan are consistent with the preliminary open space plan as approved during the preliminary plat; or for a PUD development, to identify the resources on the site and discuss the details of how the open space will be used to organize the overall project design, to illustrate how it will function in the overall neighborhood and define long-term maintenance requirements and responsibilities. Information shall be included on the final landscape plan if it can be clearly illustrated and the scale is not greater than 1" = 50'. The final open space and ecological characterization plan shall contain the following:
1. A description of the design intention and how the proposal is consistent with the preliminary open space and ecological characterization plan;
  2. Appropriate documentation (i.e., warranty deed, homeowners' association documents, conservation easement and open space management plan) that shows who will own and maintain the open space. Applicants shall develop an open space management plan. Technical information and assistance in developing the plan are available from: the National Resources Conservation Service (NRCS), the local Colorado State University Cooperative Extension Service and the local Soil Conservation District; and
  3. Specific information required on the final open space and ecological characterization plan as listed in the table which follows.

OPEN SPACE AND ECOLOGICAL CHARACTERIZATION PLAN			
Information Required	Concept	Preliminary	Final
Scale, north arrow, site boundary	Y	Y	Y
Existing and proposed streets	Y	Y	Y
Existing and proposed utilities and easements		Y	Y
Existing contours (2' intervals) – may use USGS for concept plan	Y	Y	Y
Existing site features, including ditches, trees, shrubs and native ground covers and any drainageways on the site. Indicate which plants will be preserved and method of preservation and which will be removed.	Y	Y	Y
Indicate if there are floodplains, wetlands, wildlife habitat, endangered species, archaeological/historic areas or other resources and prominent views and how they will be preserved and integrated into the overall site design	Y	Y	Y
Show the species of wildlife using the area, times/seasons area is used and the "value" (feeding, watering, nesting, roosting, perching, cover) area provides for such species	Y	Y	Y
Show wildlife travel corridors	Y	Y	Y
Note the general ecological functions provided by the site and its features	Y	Y	Y
Show the bank, shoreline and high water mark of any perennial stream or body of water on the site	Y	Y	Y
Illustrate how the open space network and pedestrian circulation system (both private and public) will function within the proposed development and surrounding neighborhood.	Y	Y	Y
Show how the property will relate to the neighborhood parks and trails in the area (see <i>Land Use and Public Facilities Map</i> .)	Y	Y	Y
Indicate which areas will be irrigated and method of irrigation		Y	Y
Define areas to be considered open space and if they will be public or private	Y	Y	Y
Indicate how open space (i.e., pocket parks, trails, natural areas, etc.) will be used and maintained, including erosion control, revegetation, irrigation and weed management both during and after construction		Y	Y
Describe the design intention	Y	Y	Y
Conceptual design of neighborhood park (if applicable)		Y	Y

(Ord. 703 §§5, 6, 2003; Ord. 785 §§1—3, 2005)

**Sec. 2.14. Public sites and dedication requirements.**

The developer shall dedicate public sites for open space or other civic purposes in accordance with the following requirements:

- (1) Percentage dedication. Dedication of such sites and land areas to the Town, or to the public, which dedication shall be a minimum of twelve percent (12%) of the total gross area of the land within the proposed subdivision at the time of subdivision. All residential subdivisions shall dedicate an additional eight percent (8%) of the total gross area at the time of subdivision. This land dedication will be credited toward the overall open space required for each subdivision; or
- (2) Fee-in-lieu of dedication. At the option of the Board of Trustees, the subdivider shall pay fee-in-lieu of land dedication in those cases where dedication of land is not the preferred alternative. Such payment shall be based on the fair market value of the entire property, to be determined after completion of the platting process. Such payment shall be held by the Board of Trustees for the acquisition of sites and land areas by the Town. At the option of the Board, the subdivider may meet the dedication requirements of this Section through a combination of fee-in-lieu and land dedication.

**Sec. 2.15. Fair contribution for public school sites.**

The subdivider shall dedicate or convey land for a public school site to the St. Vrain Valley School District RE-1J, hereinafter "School District," or in the event the dedication of land is not deemed feasible or in the best interests of the School District as determined by the Superintendent or designee of the School District, the subdivider shall make payment in-lieu of land dedication or conveyance. The amount of contribution of either land or payment in-lieu of land shall be determined pursuant to the tables set forth in this Section.

- (1) Exemptions from fair contributions for public school sites. The following uses shall be exempt from the fair contributions for public school sites requirements:
  - a. Construction of any nonresidential building or structure.
  - b. Alteration, replacement or expansion of any legally existing building or structure with a comparable new building or structure which does not increase the number of residential dwelling units.
  - c. Construction of any building or structure for limited-term stay or for long-term assisted living, including but not limited to bed and breakfast establishments, boarding or rooming houses, family care homes, group care homes, halfway houses, hotels, motels, nursing homes or hospices.
  - d. Construction of any residential building or structure classified as housing exclusively for older persons, pursuant to the Federal Fair Housing Act, as amended.
- (2) Land dedication. In the event the fair contribution for public school sites includes the dedications of land, prior to recording the final plat the following items shall be completed by the subdivider:

- a. The subdivider shall convey to the School District, by general warranty deed, title to the land slated for dedication, which title is free and clear of all liens, encumbrances and exceptions (except those approved in writing by the School District), including, without limitation, real property taxes, which will be prorated to the date of conveyance or dedication.
  - b. The subdivider shall provide to the Town proof of the dedication or conveyance.
  - c. At the time of dedication or conveyance, the subdivider shall provide a title insurance commitment and policy in an amount equal to the fair market value of the dedicated property.
  - d. The public improvement agreement (MOAPI) for the subdivision shall provide for the installation of the streets adjacent to the school site, the installation of water, sewer and other public utilities to the school site, and overlot grading of the school site.
- (3) Cash in-lieu of land dedication. In the event the fair contribution for public school sites includes payment in-lieu of the dedication of land, prior to the issuance of any building permit for any residential dwelling unit not otherwise exempt under Subsection (1) above, the subdivider shall pay to the Town on behalf of the School District the cash to be paid in-lieu of land dedication.
- (4) School planning standards and calculation of in-lieu fees.

<b>SINGLE-FAMILY</b> <i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.22 22	525	10	0.42	\$53,984	
Middle Level	100	0.10 10	750	25	0.33	\$53,984	
High School	100	0.11 11	1200	50	0.46	\$53,984	
<b>Total</b>		<b>43</b>			<b>1.21</b>	<b>\$53,984</b>	<b>\$65,360</b>
Single-Family Student Yield is 0.43							\$654 per Unit

<b>DUPLEX/TRIPLEX FAMILY</b> <i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.20	525	10	0.38	\$53,984	
		20					
Middle Level	100	0.09	750	25	0.30	\$53,984	
		9					
High School	100	0.09	1200	50	0.38	\$53,984	
		9					
<b>Total</b>		<b>38</b>			<b>1.06</b>	<b>\$53,984</b>	<b>\$57,005</b>
Single-Family Student Yield is 0.38							\$492 per Unit

<b>MULTI-FAMILY</b> <i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.15	525	10	0.29	\$53,984	
		15					
Middle Level	100	0.06	750	25	0.27	\$53,984	
		6					
High School	100	0.06	1200	50	0.08	\$53,984	
		6					
<b>Total</b>		<b>27</b>			<b>0.64</b>	<b>\$53,984</b>	<b>\$39,717</b>
Single-Family Student Yield is 0.27							\$397 per Unit

<b>CONDO/TOWNHOUSE</b> <i>School Planning Standards</i>							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.07	525	10	0.13	\$53,984	
		7					
Middle Level	100	0.04	750	25	0.13	\$53,984	
		4					
High School	100	0.04	1200	50	0.17	\$53,984	
		4					
<b>Total</b>		<b>15</b>			<b>0.43</b>	<b>\$53,984</b>	<b>\$23,393</b>
Single-Family Student Yield is 0.15							\$234 per Unit

MOBILE HOME School Planning Standards							
	Number of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution	Developed Land Value	Cash-in-Lieu Contribution
Elementary	100	0.16 16	525	10	0.30	\$53,984	
Middle Level	100	0.09 9	750	25	0.30	\$53,984	
High School	100	0.09 9	1200	50	0.38	\$53,984	
<b>Total</b>		<b>34</b>			<b>0.98</b>	<b>\$53,984</b>	<b>\$52,892</b>
Single-Family Student Yield is 0.34							\$529 per Unit

(Ord. 842 § 2.15(4), 2006)

### Sec. 2.16. Landscape design.

*To exist as a nation, to prosper as a state, and to live as a people, we must have trees.*

– Theodore Roosevelt

- (a) Intent. The intent of this Section is to preserve the Town's special character, and integrate and enhance new development by promoting quality landscape design that:
  - (1) Reinforces the identity of the community and each neighborhood;
  - (2) Provides tree-lined streets in urban areas;
  - (3) Anchors new buildings in the landscape;
  - (4) Provides tree canopies within paved areas; and
  - (5) Is environmentally sensitive by preserving existing trees, using water conservation techniques, planting native species (when appropriate), and enhances valuable habitat.
- (b) General provisions. All land development applications shall be accompanied by an appropriate landscape plan. Building permit applications for individual single-family residences will not require landscape plans. However, all landscaping within the community shall comply with the intent of these regulations.

*Trees can transform a street more easily than any other physical improvement. Moreover, for many people, trees are the most important single characteristic of a good street.*

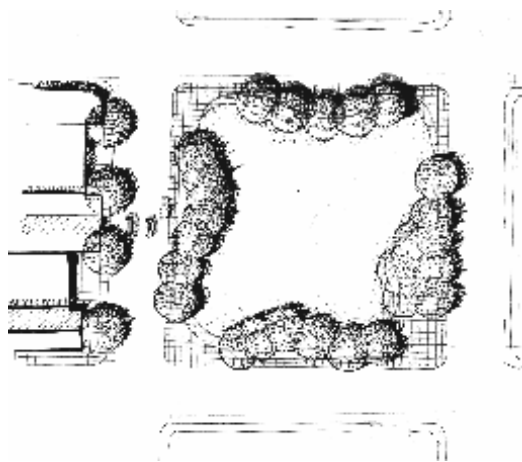
– *Great Streets*, Alan B. Jacobs

- (1) Street trees.
  - a. Landscape improvements in urban settings shall create an orderly, irrigated, managed landscape. All urban neighborhoods shall have tree-lined streets. Street

trees shall include a mix of species and be aligned in straight rows. Street trees shall be placed within the right-of-way tree lawn. Spacing of trees shall allow for their mature spread. Trees installed along streets that will be widened in the future shall take into account plans for future widening of streets so that established trees will not be disturbed during future construction.

- b. Landscape improvements in rural subdivisions, environmentally sensitive areas and lower density, rural developments shall be native-looking and informal. Streets trees in rural developments shall be planted to create irregular clusters of trees to reinforce the design and character of each project and frame views.
- (2) Site landscape design. Landscape improvements shall be an integral part of the overall site design for each property. Landscape improvements shall be designed to complement and enhance the character of neighborhoods and shall follow these guidelines:
- a. Landscaped areas shall be configured to maximize their interconnectivity within the site, to natural areas and to landscaped areas in adjacent developments. Small, isolated islands of landscaping should be avoided except as required in parking lots and for screening along roadways.
  - b. Enhance functional open space through the creation of outdoor rooms appropriate to the location and purpose of the open space within the development. This can be accomplished through a combination of plantings, fencing and berms and by using natural features on the site. See Figure 2-18.

**Figure 2-18  
Outdoor Rooms**

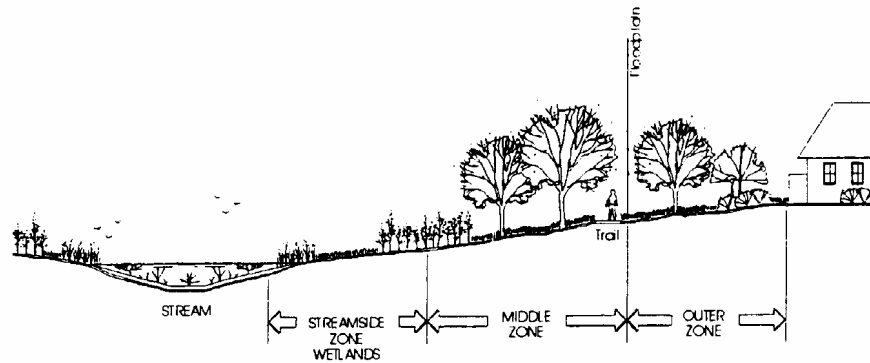


Use plantings and berms to create outdoor rooms  
in common open space areas.

- c. Landscape improvements in all developments shall be consistent with the character of the proposed development and the surrounding area to reinforce neighborhood identity.
- d. Landscape design shall enhance natural features, drainage ways and environmental resources.

- e. All landscape improvements shall be designed for mature landscapes and shall provide appropriate visibility for cars and pedestrians.
  - f. Preserve and frame views both into and out of the neighborhood.
  - g. Incorporate the elements of gateway, path and destination into the design of landscapes. Gateways are entries that provide transitions from one (1) space to another. Pathways are routes that lead to a destination. Destinations are focal points that can include anything from a garden bench at the end of a path to a civic building at the end of a street.
  - h. Landscaping shall be no more than thirty (30) inches high when located in a sight distance triangle.
- (3) Environmental considerations.
- a. Landscapes shall use the following Xeriscape design principles to facilitate water conservation:
    - 1. Well-planned planting schemes;
    - 2. Appropriate turf selection to minimize the use of bluegrass;
    - 3. Use of mulch to maintain soil moisture and reduce evaporation;
    - 4. Zoning of plant materials according to their microclimatic needs and water requirements;
    - 5. Improve the soil with organic matter if needed;
    - 6. Efficient irrigation systems; and
    - 7. Proper maintenance and irrigation schedules.
  - b. All landscapes shall strive to maximize the use of native species. Where native material is not appropriate for the intended use or appearance, plant species that are regionally adapted and noninvasive may be used.
  - c. Landscapes shall consist of a variety of species to enhance biodiversity. No one (1) species may make up more than twenty-five percent (25%) of the total nongrass plant materials on the site.
  - d. Buildings and parking areas shall be located to preserve and promote the health of existing trees, environmental resources and natural drainage ways. No healthy tree shall be removed without good cause. This requirement is not intended to prevent the removal of unhealthy trees in conjunction with site development.
  - e. Trees shall be located to provide summer shade and limit winter shade on walks and streets.
  - f. A combination of plantings, berms, walls and fences shall be used as appropriate to buffer sensitive habitat. See Figure 2-19.

**Figure 2-19**  
**Sensitive Habitat Buffers**



Use buffers to protect the physical integrity of riparian ecosystems. Try to preserve vegetation and trees in streamside zone and middle zone. Encourage grass and landscaping in outer zone to filter runoff from backyards, parking areas, roads, etc.

- g. All areas disturbed by construction shall be reseeded to prevent erosion. Native, noninvasive grasses shall be used for revegetation where practical. Weed control is the responsibility of the landowner on all reseeded areas and all preservation areas.
- (4) New buildings and paved areas.
- a. Anchor structures in the landscape through the use of trees, shrubs and groundcover. The size and intensity of plantings shall be appropriate to the size and context of the improvements.
  - b. Integrate adjacent land uses of different intensities through a combination of berming, plantings and fencing. Use opaque screening only when necessary to mitigate the impact of noise, light, unattractive aesthetics and traffic. A fence shall not be the only screening material used. See Figure 2-20.

**Figure 2-20**  
**Berming, Planting and Fencing**

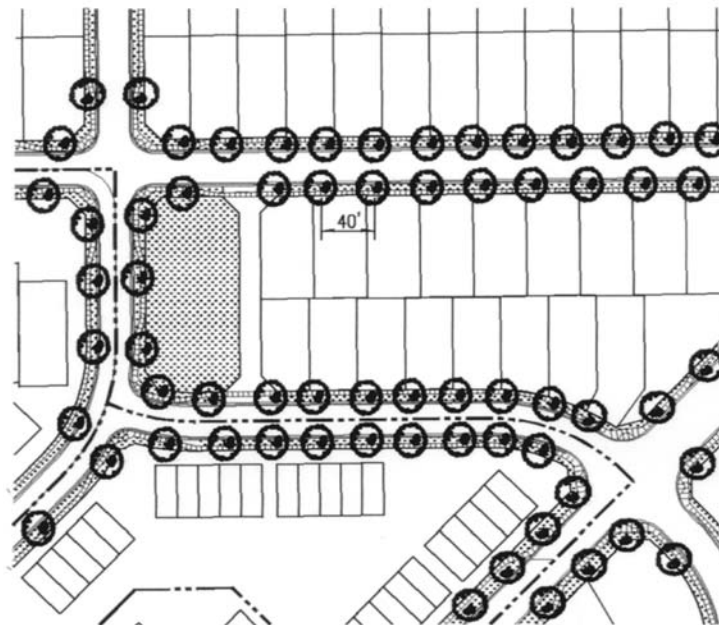


A combination of berming, planting and fencing to integrate land uses.

- c. Use landscaping to provide a transition from developed, managed landscape to more natural vegetation.
  - d. Provide a tree canopy by installing shade trees within and adjacent to paved areas.
- (5) Plant materials.
- a. The minimum planting sizes on all required landscaping shall be two-inch caliper deciduous trees, one-and-one-half-inch-caliper ornamental trees, six-foot-tall evergreen trees and five-gallon shrubs.
  - b. Required plant materials shall be grown in a recognized nursery in accordance with proper horticultural practice. Plants shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety and free of diseases, insects and injuries.
  - c. All plants shall conform to standards for measurements, grading, branching, quality, ball and burlapping as stated in the *American Standard for Nursery Stock*, 1990 Edition, American Association of Nurserymen, Inc., (AAN-ASNS) and Colorado Nursery Act of 1965 (CNA).
- (6) Irrigation. All required landscaping shall be irrigated as required for plant establishment and maintenance. Irrigation shall be appropriate to the type and scope of the improvements.
- a. Use of nontreated water for irrigation is encouraged if a permanent, suitable supply is available.

- b. Required landscaping in urban developments shall be irrigated with a permanent irrigation system.
  - c. Temporary irrigation may be used to establish native grasses and vegetation.
- (7) **Guarantee of installation.** Required landscape improvements shall be installed prior to issuance of a certificate of occupancy for all structures. If weather conditions prevent installation, the developer shall post a financial guarantee for the improvements. This guarantee shall be released upon completion of the installation of the landscaping.
  - (8) **Maintenance.** In order to provide for the ongoing health and appearance of landscape improvements, all landscaping shall be maintained and replaced by the landowner/ occupant as necessary. All property owners/ occupants shall be responsible for maintenance of landscaping within the portion of the public right-of-way between the back of the curb or street pavement and the adjacent property.
- (c) **Landscaping design standards.**
- (1) **Landscaping within the right-of-way and required common open space.** The developer or assigns shall provide:
    - a. **Street trees** – one (1) deciduous or ornamental tree for every forty (40) linear feet of block frontage or portion thereof. Street trees shall be planted within the tree lawn portion of the right-of-way with adequate spacing to allow for the mature spread of the trees. Within zones E-1, E-2, A-1 and A-2, street trees shall be planted in irregular clusters within front yard setbacks.

**Figure 2-21  
Spacing of Street Trees**



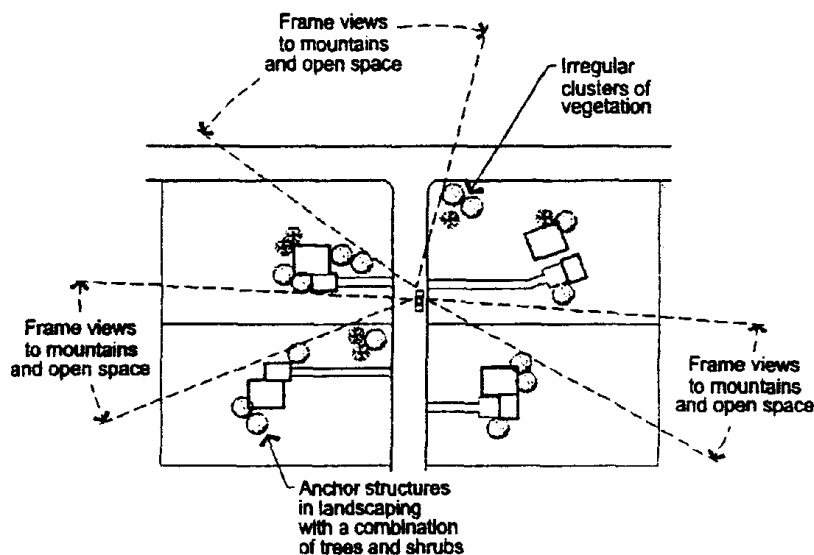
Provide one tree for every 40' of block frontage or portion thereof. Space trees to account for mature spread.

- b. Collector and local streets – live groundcover, including a combination of grass, trees, flowers, grass or shrubs. In commercial areas, this area may be paved if it functions as pedestrian access to storefronts and is integrated into the overall design of the other improvements on the site.
  - c. Arterial streets – live groundcover as appropriate to the use and function of the area, including a combination of grass, trees, flowers, paving and one (1) shrub for every one hundred fifty (150) square feet of landscape area clustered into planting beds. The developer shall also install an automatic irrigation system for all landscaping within arterial rights-of-way.
  - d. Landscaping for required common open space – such as pocket parks and trails. Landscaping shall be appropriate to the use and function of the area and include trees, shrubs, groundcover, irrigation (where necessary) and paving.
  - e. A mechanism for long-term maintenance of common open space and arterial and collector street right-of-way landscaping – such as a homeowners' association and covenants.
- (2) Small lot single-family residential (R-1 Zoning Districts) development landscaping standards. (See Figure 2-22.)
- a. In addition to landscaping the right-of-way tree lawn, the developer or assigns shall provide:
    - 1. Sod – for the front yard setback of each home. There shall be a minimum of seventy-five percent (75%) live materials between the front of the house and the curb unless otherwise approved by the Town.
    - 2. Five (5) shrubs – for the front yard setback of each home.
  - b. The homeowner shall:
    - 1. Install remainder of yard – and is encouraged to plant additional trees, shrubs and flowers using Xeriscape principles and the general provisions set forth in this Section.
    - 2. Maintain the yard and landscaping within the adjacent road right-of-way – in accordance with Town regulations.
- (3) Multi-Family, Mixed Use and R1-A District residential landscaping standards. (See Figure 2-22.)
- a. In addition to right-of-way landscaping, the developer or assigns shall provide:
    - 1. Site trees – a minimum of one (1) tree per one thousand (1,000) square feet of landscaped area, distributed on the site.
    - 2. Shrubs – a minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped area. Group shrubs and distribute throughout the site. Trees may be

substituted for up to one-half (½) of the required shrubs at the rate of one (1) tree for ten (10) shrubs.

3. Groundcover – irrigated turf maintained to appropriate standards for active recreation in areas that will function for active recreation. Where appropriate, use native grass for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight (8) inches. There shall be a minimum of seventy-five percent (75%) live materials between the front of the house and the curb unless approved by the Town.
  - b. Landscape setback to parking lots – thirty (30) feet from arterials or twenty-five (25) feet from other streets. The purpose of the setback is to provide a buffer between street parking areas. This setback may be reduced to fifteen (15) feet if used in combination with a three- to four-foot masonry or stone decorative wall. Signage may be included in this setback.
- (4) Large lot single-family residential (E-1, E-2, A-1, A-2 Zoning Districts) development landscaping standards. Landscaping shall be designed to keep natural resource areas in their natural state as much as possible and should be in character with surrounding properties. (See Figure 2-22.)
- a. The developer or assigns shall provide:
    1. Groundcover – for the front yard setback of each home. The groundcover may be a combination of irrigated and native grasses and wildflowers as appropriate to the design of the individual home. There shall be a minimum of seventy-five percent (75%) live materials between the front of the house and the edge of roadway unless approved by the Town.
    2. Ten (10) shrubs – for the front yard setback of each home.
  - b. The homeowner shall:
    1. Install remainder of yard – and is encouraged to plant additional trees, shrubs and flowers using Xeriscape principles and the general provisions set forth in this Section.
    2. Maintain the yard and landscaping within the adjacent road right-of-way – in accordance with Town regulations.

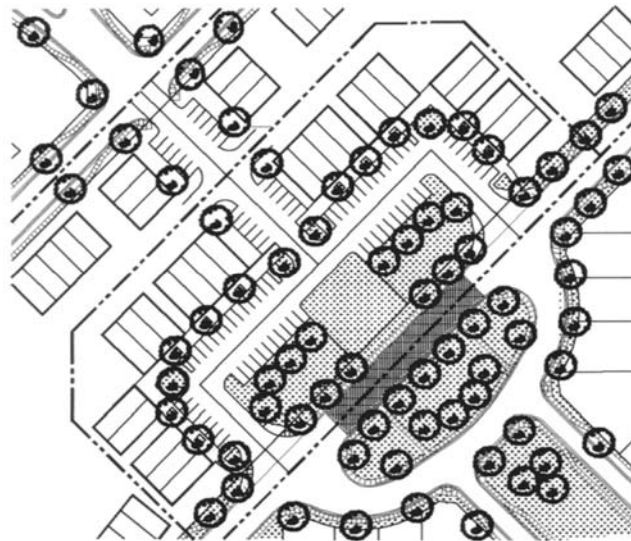
Figure 2-22  
Residential Landscaping



- (5) Business/commercial and industrial development landscaping standards. (See Figure 2-23.)
- a. Landscape improvements shall be designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and into the surrounding neighborhood. All improvements shall consider the people who will use the site and travel through or by the site and adjacent land uses. A minimum of twenty percent (20%) of the site (gross) shall be landscaped area, street rights-of-way, building footprints or hard-surfaced or landscaped areas of parking lots and driveways. This landscaped area is in addition to any public open space land dedication provided at the time of subdivision.
  - b. The developer or assigns shall provide:
    1. Site trees – plant a minimum of one (1) tree per one thousand (1,000) square feet of landscaped area, distributed on the site.
    2. Shrubs – plant a minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped area. Group shrubs and distribute throughout the site. Trees may be substituted for up to one-half ( $\frac{1}{2}$ ) of the required shrubs at the rate of one (1) tree for ten (10) shrubs.
    3. Groundcover – establish irrigated grass turf maintained to appropriate standards for active recreation in areas that will function for active recreation. Where appropriate, use native grass for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight (8) inches. There shall be a minimum of seventy-five percent (75%) live materials between the building and the street unless approved by the Town.

4. Landscape setback to parking lots – thirty (30) feet from arterials or twenty-five (25) feet from other streets. The purpose of the setback is to provide a buffer between street parking areas. This setback may be reduced to fifteen (15) feet if used in combination with a three- to four-foot masonry or stone decorative wall. Signage may be included in this setback.
  5. Screen loading areas – screen loading areas (including vehicle being loaded), service and storage areas visible from the public right-of-way or adjacent property with an opaque screen that is an integral part of the building architecture or by landscaping. Chain link fencing with slats, tires or used building materials are not acceptable screening materials.
  6. Compatibility – integrate activities on the subject property with adjacent land uses by utilizing a combination of landscaping, building orientation and appropriate architectural elements.
- c. The building owner or occupant shall maintain the yard and landscaping within the adjacent road right-of-way in accordance with Town regulations.

**Figure 2-23  
Business and Commercial Landscaping**



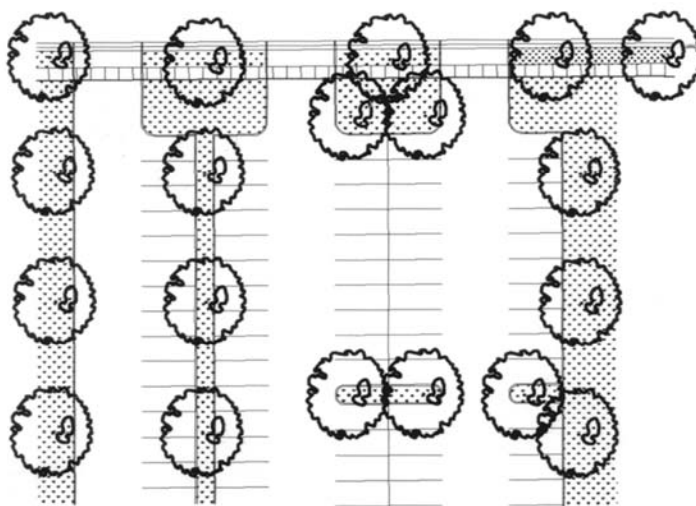
Create pedestrian-friendly commercial areas by:

- Providing open areas for gathering places.
- Creating a tree canopy between on-street parking and store fronts to provide a separation between cars and sidewalks.
- Landscaping parking lots.

- (6) Interstate 25 and Highway 52 Corridor landscaping standards. The developer or assigns shall provide:
  - a. Landscape setback to parking lots – provide a fifty-foot landscape setback from the highway. The purpose of the setback is to provide a buffer between the street and parking areas. Signage may be included in this setback.

- b. Shrubs – a minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped setback. Group shrubs and distribute throughout the landscape setback. Trees may be substituted for up to one-half ( $\frac{1}{2}$ ) of the required shrubs at the rate of one (1) tree for ten (10) shrubs.
- (7) Downtown landscaping standards. Downtown landscaping is intended to provide an attractive environment for people to walk and shop. Refer to Section 2.26 for illustrations of attractive landscaping in downtown areas around Colorado. The developer or assigns shall provide: Streetscape: a combination of window boxes, planters, trees, benches, etc., as appropriate to enhance building entries and the streetscape.
  - (8) Parking lot landscaping standards. Parking lot landscaping is intended to break up large expanses of pavement, create shade, buffer views of parking lots from adjacent streets and development and enhance the overall appearance of each project.
    - a. Applicability – All parking lots with ten (10) spaces or more shall be subject to these requirements.
    - b. The developer or assigns shall provide:
      - 1. Site trees – a minimum of one (1) tree per five (5) parking spaces. Group trees together in islands which are a minimum of ten (10) feet wide. Use the landscaping to break up large expanses of pavement and to create a tree canopy for summer shade. See Figure 2-24.

**Figure 2-24  
Parking Lot Landscaping**



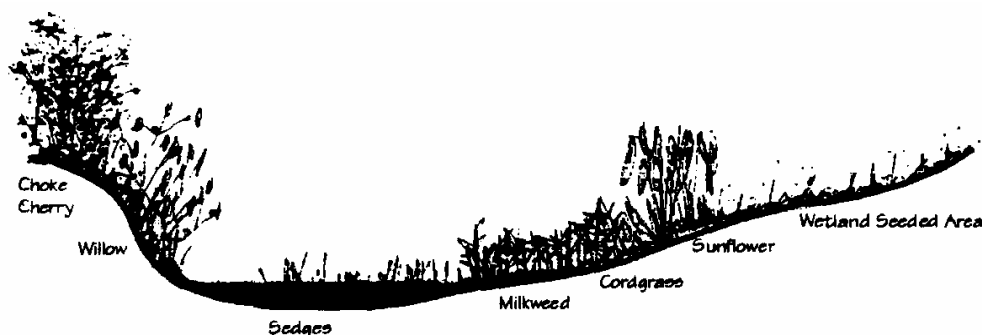
- 2. Shrubs – a minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped area. Group plantings in landscape islands.

3. Groundcover – limit areas of irrigated turf. Grass is discouraged in areas less than ten (10) feet wide. Install a grass buffer (native grass where possible) around the perimeter to filter runoff and improve water quality.
4. Landscape setback to parking lots – thirty (30) feet from arterials or twenty-five (25) feet from other streets. The purpose of the setback is to provide a buffer between the street and parking areas and to screen the parking from the street. This setback may be reduced to fifteen (15) feet if used in combination with a three- to four-foot articulated masonry or stone decorative wall with trees and shrubs on both the street and parking lot sides of the wall to soften its appearance. Signage may be included in this setback.
5. Provide a mechanism for long-term maintenance of landscaping – all landscaping within and adjacent to parking lots shall be owned and maintained by the landowner or occupant.

(d) Storm drainage facilities.

- (1) Intent. The intent of this Subsection is to promote innovative and effective land and water management techniques that protect and enhance water quality.
- (2) General provisions.
  - a. Landscaping associated with storm drainage facilities shall be integrated into the overall design of the project.
  - b. It shall enhance the overall appearance of the project, prevent erosion and improve water quality of storm water runoff whenever possible.
  - c. Storm drainage facilities may function as open space for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately and approved by the Board of Trustees.
  - d. The use of planting strips and shallow, landscaped depressions in parking lots and along roads is encouraged to help trap and remove pollutants from storm water runoff. (See Figure 2-25.)

**Figure 2-25  
Storm Drainage**



Develop storm drainage systems as landscape amenities which can enhance the overall project.

- (3) Applicability. All storm drainage facilities shall be appropriately landscaped.
- (4) Minimum requirements.
  - a. All facilities shall be seeded to grass appropriate to the function of the area. Areas to be used for active recreation shall be seeded to a turf-type grass and irrigated with a permanent irrigation system. Areas to be maintained for habitat enhancement shall be seeded to native grasses and wildflowers. The developer is responsible for establishment of a complete, weed-free stand of grass. Trail corridors may be seeded to native grasses if appropriately integrated with adjacent improvements.
  - b. Maximum side slope on drainage facilities shall be 4:1, and minimum slope of the bottom of a drainage facility shall be one-half percent (.5%).
  - c. Landscape improvements shall be designed to enhance the function of the facility. Areas designed for recreation shall include clusters of trees to provide shade, located so they do not impair the function of the facility.
  - d. Habitat and water quality enhancement, including wetland plantings in low wet areas, is encouraged.
- (5) Ownership and maintenance. All drainage facilities shall be owned and maintained by the landowner or occupant unless otherwise approved by the Town.
- (e) Submittal standards for landscape plans. All land development applications will be accompanied by the appropriate landscape plan:

LANDSCAPE PLAN			
Type of Application	Conceptual Landscape Plan	Preliminary Landscape Plan	Final Landscape Plan
Sketch Plan	Y		
Preliminary Plat/PUD		Y	
Final Plat/PUD			Y
Conditional Use Review			Y
Site Plan			Y

- (1) Conceptual landscape plan (submit with sketch plan). Intent: to illustrate the overall design concept for landscaping and depict how it relates to the overall development.
  - a. Describe the design intention of the proposed landscape improvements.
  - b. This information should be included on the sketch plan map or combined with the conceptual open space plan if it can be clearly illustrated and the scale is not greater than 1" = 200'.
  - c. Information required on the plan is listed in the table which follows.

- (2) Preliminary landscape plan (submit with preliminary plat). Intent: to illustrate the master landscape plan for the development.
  - a. Describe the design intention and how the proposal is consistent with the purpose and intent of these regulations.
  - b. Landscaping should be included on the preliminary open space and ecological characterization plan if it can be clearly illustrated and the scale is not greater than 1" = 100'.
  - c. Information required on the plan is listed in the table which follows.
- (3) Final landscape plan (submit with final plat). Intent: to ensure that each phase of the final landscape plan is consistent with the master landscape plan for the development and to illustrate the specific landscaping details for each phase.
  - a. Describe the design intention and how the proposal is consistent with the preliminary landscape plan.
  - b. The final landscape plan must be on a separate page from the final plat map and should be included with the final open space and ecological characterization plan if it can be clearly illustrated. The scale shall not greater than 1" = 50'.
  - c. Information required on the plan is listed in the table which follows:

LANDSCAPE PLAN INFORMATION			
Information Required	Concept	Preliminary	Final
Scale, north arrow, site boundary	Y	Y	Y
Existing and proposed streets		Y	Y
Existing and proposed utilities and easements		Y	Y
Existing contours (2' intervals), can be USGS for conceptual landscape plan	Y	Y	Y
General grading concepts for proposed improvements, typical cross-sections of streets and special treatment areas		Y	
Proposed contours (2' intervals)			Y
Describe the design intention	Y	Y	Y
Describe the general character and location of proposed landscaping and open space and how it meets the purpose of these regulations	Y		
Illustrate how the open space network and pedestrian circulation system will function	Y		
Existing site features including ditches, trees, shrubs and groundcovers and any drainageways, wetlands or wildlife habitat present on the site. Indicate which plants will be preserved, the method of preservation and which will be removed.	Y	Y	Y
Proposed landscaping including: trees, shrubs, groundcover, walks, fences. Show which plantings are deciduous and evergreen		Y	
Indicate which areas will be irrigated and method of irrigation		Y	Y
Typical detail drawings at 1" = 20' to illustrate perimeter treatment, buffering, typical front yard, and any special treatment areas on the site		Y	
Define areas to be considered open space and if they will be public or private. Indicate how open space will be maintained including: erosion control, revegetation, and weed management both during and after construction.		Y	Y
Detailed planting plan indicating location, species, size and quantity of all proposed plantings and groundcover. Improvements shall be shown in their final location and mature size. Include a plant list in chart form and description of the type and location of groundcover, walks, fences, and mulches. Include a cost estimate for improvements. (This may be submitted as a separate sheet and is not required on the plans.)			Y

(f) Prohibited plant materials list. The trees listed below are prohibited in the Town:

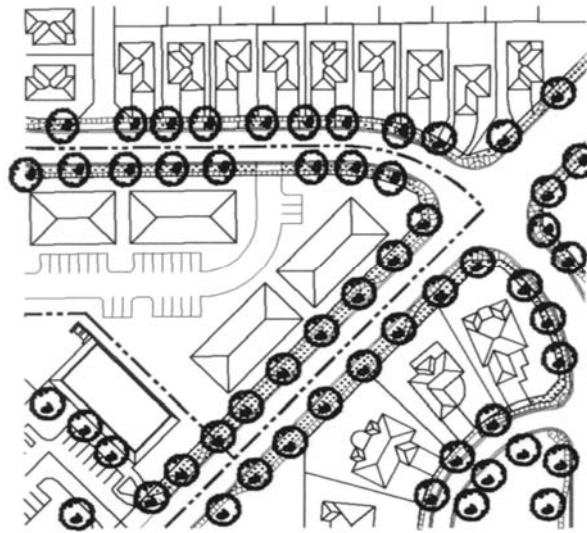
- (1) Russian olive.
- (2) Lombardy poplar.
- (3) Siberian elm.
- (4) Boxelder maple.

- (5) Cotton-bearing cottonwood. The Board of Trustees will consider cotton-bearing cottonwood on a case-by-case basis for restoration projects along riparian corridors (i.e., Godding Hollow).

**Sec. 2.17. Buffering and screening techniques.**

- (a) Intent. It is the intent of this Section to integrate adjacent land uses and provide seamless transitions from one (1) use to another through the use of building orientation and access, landscaping and appropriate architectural elements.
- (b) General provisions.
  - (1) Special consideration shall be given to adjacent land uses of different intensities. It shall be the responsibility of the developer of the more intensive use to ensure that the transition from one (1) use to another is attractive and functional and minimizes conflicts between the current and planned uses.
  - (2) It is the responsibility of the developer of the higher intensity use to demonstrate that the uses will be compatible. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and setbacks, landscaping, architectural treatment and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic. See Figure 2-26.
  - (3) Buffering may be required between any development and adjacent natural or environmentally sensitive areas. This will be determined on a case-by-case basis.
  - (4) Under no circumstances shall a fence be the only screening material used as a buffer between land uses.

**Figure 2-26**  
**Integration of Land Uses**



Integrate adjacent land use through appropriate:

- Building orientation and setback.
- Landscaping.
- Access.
- Architectural elements.

(c) Location and screening of required loading and service areas.

- (1) Loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.
- (2) Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spill-over glare, noise or exhaust fumes. Screening and buffering shall be achieved through walls, architectural features and landscaping; and shall be visually impervious. Recesses in the building or depressed access ramps may be used.

(d) Dumpsters.

- (1) Every development that is required to provide one (1) or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:
  - a. Located to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties or public rights-of-way; and
  - b. Constructed to allow for collection without damage to the development site or the collection vehicle.
- (2) All such dumpsters shall be screened to prevent them from being visible to:

- a. Persons located within any dwelling unit on residential property other than that where the dumpster is located;
- b. Occupants, customers or other invitees located within any building on nonresidential property other than that where the dumpster is located; and
- c. Persons traveling on any public street, sidewalk or other public way.

**Sec. 2.18. Fences and walls.**

- (a) Intent. It is the intent of this Section to ensure that walls and fences are attractive and in character with the neighborhood. Recognizing that fences are used to create privacy, the Town encourages privacy fences be located close to the house and not along side and rear property lines.
- (b) General provisions.
  - (1) Compatibility. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than fifty (50) feet for every seventy-five (75) feet of length, or portion thereof. See Section 2.26 for examples.
  - (2) Materials.
    - a. Stone walls, brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls and stone piers are encouraged. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for landscaping or architectural purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall. Refer to Section 2.26 for illustrations of fence styles that the Town is encouraging.
    - b. Fences used in front yards shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket or other standard residential fences of a similar nature approved by the Building Inspector.
    - c. Solid fences shall be constructed to meet the wind design criteria of the adopted Uniform Building Code, using a basic wind speed of eighty (80) miles per hour.
    - d. Other materials may be incorporated in fences and walls as may be approved by the Town.
  - (3) Prohibited materials. Contemporary security fencing such as concertina or razor wire, barbed wire or electronically charged fences are prohibited unless specifically allowed by the Board of Trustees. Electric barrier fencing installed and used with a transmitter collar worn by a dog(s) for the purpose of maintaining the dog(s) within the owner or keeper's premises shall be permitted. Chain link fencing with or without slats shall not be used as a fencing material for screening purposes. (Ord. 812 §2.18(b)(3), 2005)

- (4) Retaining walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.
- (5) Height limitations. Fences or walls shall be:
  - a. No more than forty-two (42) inches high between the front building line and the front property line. Walls shall not be solid except for retaining walls. For corner lots, front yard fence regulations shall apply to both street sides of lot.
  - b. No more than forty-two (42) inches high if located on a side yard line in the front yard, except if required for demonstrated unique security purposes. Fences and walls shall not be solid, except for retaining walls.
  - c. No more than five (5) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.
  - d. No more than six (6) feet high for opaque privacy fences that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.
  - e. No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid.
  - f. In the Industrial (I) zone district, a chain link fence is permitted so long as it is not higher than six (6) feet anywhere on the premises and the visibility at the intersection shall be in accordance.
  - g. Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.
- (6) Maintenance. Dilapidated, unsightly or dangerous fences shall be removed or repaired when so ordered by the Building Inspector. Hedges shall be maintained in a healthy condition, trimmed and pruned as appropriate for the plant type. Dead plant material in hedges shall be removed or replaced as appropriate when so ordered by the Building Inspector. Hedges shall not encroach upon sidewalks or street rights-of-way.
- (c) Warranty period. The warranty period for perimeter fences along arterial and collector streets shall be two (2) years. Provision for compliance shall be as outlined in the warranty section of the Memorandum of Agreement for Public Improvements (MOAPI).

**Sec. 2.19. Residential architecture (single-family and multi-family dwellings).**

- (a) Intent. Architecture plays an important part in developing an identity for neighborhoods and dwellings. Thus, the Town wants to build upon the architectural traditions of the region, yet allow for diversity of expression. In addition, the Town wants to encourage a variety of housing types, sizes and prices in each neighborhood to allow people to remain in their neighborhoods, as their housing needs change.

- (b) Housing diversity/neighborhood identity. Housing diversity is an important goal for new residential development in the Town. In support of this, the integration of detached and attached single-family dwellings, and multi-family dwellings, within neighborhoods, even in the same block, is encouraged.
- (c) Single-family detached and duplex dwellings. The intent of this Section is to build a significant proportion of single-family detached and duplex dwellings with architectural designs that relate homes to the street, that create diversity and variety along residential streets, that have front porches, rear-loaded garages or alternatively loaded street-accessed garages, and that reflect traditional Colorado styles and neighborhoods, as well as more modern designs.
  - (1) Streetscape diversity. Single-family detached building requirements are intended to ensure that an adequate mix of models and styles are offered within a neighborhood and within each block face. Before the building of single-family and duplex dwellings may commence on a block and prior to the issuance of a building permit within the block, the applicant shall illustrate, through the use of a Block Diversity Plan, how the development will comply with the requirements set forth in this Section. Final plat approval cannot be given without approval of a Block Diversity Plan for the initial stage of development. Developments of three (3) dwelling units or less are exempted from this provision. A Block Diversity Plan shall include, at a minimum, the following:
    - a. A map that illustrates the model and elevation for each building on the block.
    - b. The color palette to be used.
    - c. A written statement that specifies how provisions of Subsection (c) below will be met.

In order to allow for flexibility in sales, a Block Diversity Plan may be modified over time, provided that the minimum requirements of this Section are met. These modifications shall be subject to administrative review and approved by the Town staff. The applicant shall enforce these requirements as individual lots are purchased.

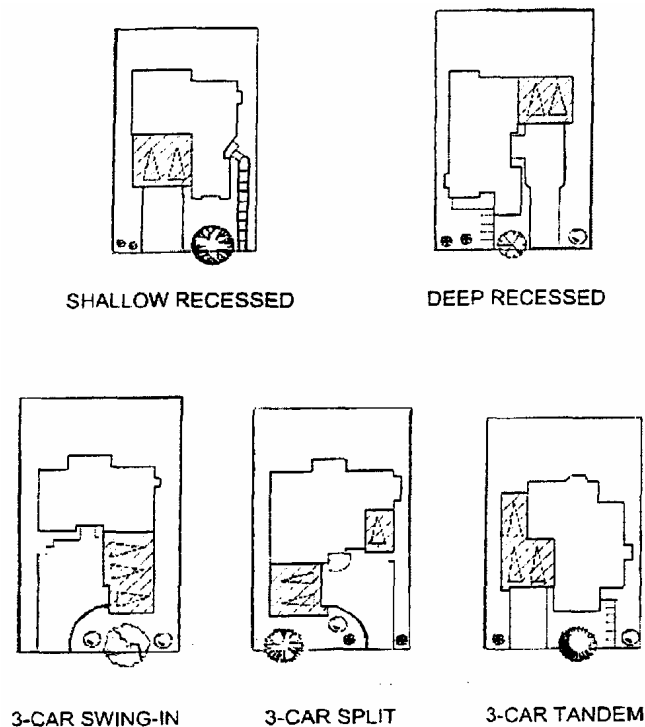
- (2) Model diversity.
  - a. Each block face shall contain at least three (3) different models or duplex buildings that have significant variations in floor plan configuration and massing. Differentiation in models requires all of the following variations:
    - 1. Rooms and elements program;
    - 2. Floor plan configuration;
    - 3. Massing;
    - 4. Size;
    - 5. Color scheme;

6. Use of exterior material;
  7. Garage component (at street-access condition); and
  8. Garage access (at street-access condition).
- b. Each block face shall contain no more than two (2) of the same model or duplex building with the same architectural style.
  - c. Significant variation in the range of wall colors on a block face is encouraged. Use different colors on adjacent building facades. Treat a block face as a unified composition.
  - d. Each block face shall contain at least three (3) roof colors.
  - e. The same model with the same architectural style shall not be placed adjacent to each other or directly across the street from one another.
  - f. At least one-third ( $\frac{1}{3}$ ) of the buildings on each block face shall have a front porch.
- (3) Stylistic diversity. Each model or duplex building shall have at least two (2) architectural styles and color schemes.
  - (4) Enhancements at corners. At corners, buildings shall address the side street or open space. Corner lots shall be wide enough to allow for side elevation enhancements. At least two (2) of the following enhancements are required:
    - a. A side- or wrap-around porch, or a bay window. Wrap-around porches are encouraged.
    - b. Windows or glazed doors that face the side street or open space.
    - c. A change in the vertical or horizontal wall plane.
    - d. Brackets, projections, belt courses or other such details.
  - (5) Architectural style. New residential architecture shall resemble the architecture commonly found in Colorado neighborhoods as well as more modern designs. The goal is to create the memorable character, identity and appeal that these neighborhoods display, not to provide exact replicas of historic buildings. Photographs that illustrate the basis of the proposed architectural styles shall be provided. See illustrations in Section 2.26.
  - (6) Massing. The mass of a house or duplex should strongly reflect its architectural style and be scaled to provide visual interest and depth, reduce boxiness, and achieve an articulated form on all four (4) sides.
  - (7) Roof. The roof forms and pitches of a house or duplex shall strongly reflect its architectural style. In general, a simple dominant roof form should be used in combination with complementary secondary and minor roof forms and elements.

- a. Roof overhangs, eaves, fascias and soffit detail shall be detailed appropriately for the architectural style of the building.
  - b. The character and placement of dormers, when used, shall also reflect the architectural style of the building.
- (8) Covered entries and porches.
- a. A covered entryway for the front door is encouraged.
  - b. Porch designs shall reflect the architectural style of the building. Where provided, a porch shall be at least six (6) feet deep, eight (8) feet wide, and be defined by a railing, columns or similar architectural features that are scaled and detailed to reflect their style.
  - c. Raised porch floors, sixteen (16) inches or more above the finished grade, are encouraged.
- (9) Front doors. Front doors shall be designed, detailed and located to be prominent architectural elements visible from the street. The door style, scale and trim shall complement the architectural style of the building.
- (10) Windows. The window type, composition, proportions and trim for a house shall strongly reflect its architectural style. The use of muntins is encouraged to create a smaller scale.
- (11) Exterior embellishments. Bays, projections, brackets, trim and material changes that are appropriate for the expression of the architectural style of a building are encouraged.
- (12) Exterior color. The skillful use of color variation is especially important. Monotonous color palettes are strongly discouraged.
- a. Strong colors should be muted shades or tints of the pure hue to ensure that colors are subdued. High gloss paints are discouraged. Use saturated color hues sparingly as accents.
  - b. Wall, trim, accent, roof and masonry colors shall be coordinated.
  - c. Generally, corner trim should be of similar or lighter value than the main body color.
- (13) Decks.
- a. All vertical elements (columns, beams, railing, stairs, supports), fascias and overhead elements of elevated and walkout decks shall be painted or stained to match or complement the permanent colors of the main structure and not left to weather naturally.
  - b. Deck posts shall be a minimum of six (6) inches in section unless grouped (two [2] or more posts) or enhanced with a built-up wood or masonry wrap or cladding.

- c. Rear lot ground level decks and railings are exempt from this painting/ staining provision.
- (14) Allowable building extensions. Cornices, canopies, eaves or similar architectural features may extend from the building into a required yard not more than two (2) feet. Open, unenclosed, uncovered porches at ground level may extend into a required yard not more than six (6) feet, excluding roof overhangs.
- (15) Garages. Homes, not garages, shall have the emphasis on residential streets. The intent is that residential streets have variety and that garages not dominate homes and streets. Alley accessed garages are strongly encouraged.
- a. Requirements for garages with access from the street. (See Figure 2-27.)
    - 1. Variety of garage placement. Varying the placement of street-accessed garages on adjacent lots is encouraged to create diversity and avoid repetition.
    - 2. Recessed garage doors. Street-facing garage doors shall be set back at least twenty-two (22) feet from the sidewalk or property line and four (4) feet or more from the forward-most enclosed area of the home. No more than twenty-five percent (25%) of these, however, are allowed on one (1) block face.
    - 3. Deep recessed and rear garages with side yard drive and maximum twelve-foot driveway curb cut are encouraged.
    - 4. Swing-in (side-loaded) garages are encouraged. However, such garage projections shall be minimized so as not to appear tacked on.
    - 5. Three-car street accessed garages. Three-car, front-facing garages are not allowed. Swing-in garages, split garages and tandem garages are encouraged.
    - 6. Minimum driveway curb cut width. The width of a driveway curb cut is limited to twenty (20) feet.
    - 7. Garage doors. Individual single-garage doors with upper level windows are encouraged.
  - b. Compliance. The applicant shall include in the application for approval of the final plat documentation showing how the development will comply with this requirement.

**Figure 2-27**  
**Allowed Types of Street-Accessed**  
**Single-Family Residential Garages**



- (d) Townhouses and row houses (single-family attached dwellings). The intent of this Section is to build townhouses and row houses with architectural designs that relate buildings to the street, and that achieve a harmonious balance between repetition and variety.

(1) Individual dwelling identity.

"The composition of a row house grouping requires repetition of architectural elements like entries, bays, cornices and parapets. At the same time, visual interest and streetscape diversity are promoted by variation. Achieving balance between repetition and variety creates harmony.

"Row house groupings rely on the continuity of well-defined architectural elements to establish strong street presence. However, each unit must be expressed so that the composition reads as the sum of the individual parts.

"Design the primary facade of each row house so it is evident where the unit begins and ends. This can be achieved by repeating the principal architectural elements and subtly varying the offsetting of building walls, choice of materials, parapet height, and color."<sup>2</sup>

(2) Articulation.

<sup>2</sup> *Stapleton Design Book* published by Forest City Stapleton, Inc., September 2000, pp. III.20 – III.22.

"Because repetition is important to the composition of the row houses, sufficient articulation of architectural elements on the primary facade of each row house is essential. Groupings of row houses are often repeated along the street, requiring techniques to promote architectural interest and streetscape diversity.

"A row house articulation is defined as a covered entry element, a dormer facing the street, a horizontal offset of at least two (2) feet in the principal building wall for a minimum of four (4) feet in width, a bay or projection, or a significant change in the parapet height and design.

"The primary row house elevation towards the street needs at least two (2) articulations, but not more than three (3) articulations. The required articulation refers to an individual row house, not the entire grouping.

"Side elevations of row houses facing a street are subject to the same articulation requirements as the primary facade.

"Row house groupings of six (6) units or more (or groupings over one hundred twenty [120] feet in length) require two different articulation combinations."<sup>1</sup>

(3) Entry definition.

"Well-defined and sensitive entries are particularly important for row house design. In addition to creating a feeling of welcome and providing shelter, they also help make a gracious transition between public and private realms.

"All row houses must provide a covered front entry."<sup>1</sup>

- (e) Multi-family stacked units, including condominiums and apartments. The intent of this Section is to build multi-family stacked units that achieve a harmonious balance between repetition and variety. Each multi-family dwelling containing more than three (3) dwelling units shall feature a variety of massing proportions, wall plane proportions, roof proportions and other characteristics. The following specific standards shall apply to multi-family stacked units, including condominiums and apartments:

- (1) Individual building identity. For all developments of three (3) or more multi-family stacked buildings, a floor plan may be repeated; however, identical building facades must not be replicated more than twice within the development. Before building may commence on a block and prior to the issuance of a building permit within the block, the applicant shall illustrate, through the use of a Block Diversity Plan, how the development will comply with the requirements set forth in this Section. Final plat approval cannot be given without approval of a Block Diversity Plan for the initial stage of development. A Block Diversity Plan shall include, at a minimum, the following:
  - a. A map that illustrates the floor plan and elevation for each building on the block.
  - b. The color palette to be used.
  - c. A written statement that specifies how the provisions contained in Subparagraphs (e)(1) through (4) herein will be met.

- (2) **Articulation.** Each multi-family dwelling or condominium shall be articulated with projections, recesses, covered doorways, balconies, box or bay windows and/or other similar features, dividing large facades and walls into human-scaled proportions. Each multi-family building shall feature walls that are articulated by a least two (2) of any of the following elements within every thirty-six-foot length of the facade:
  - a. Recesses, projections or significant offsets in the wall plane;
  - b. Distinct individualized entrances;
  - c. Chimneys that project from the wall plane;
  - d. Balconies and/or other outdoor living space; or
  - e. Bay or box windows.
- (3) **Roofs.** Each multi-family building shall feature a combination of primary and secondary roofs. Primary pitched roofs shall be articulated by at least one (1) of the following elements:
  - a. Changes in plane and elevations;
  - b. Dormers, gables or clerestories; or
  - c. Transitions to secondary roofs over entrances, garages, porches or bay windows.
- (4) **Color.** For all developments, there shall be no more than two (2) similarly colored structures placed next to each other along a street or major walkway spine.
- (5) **Garages.** No street-facing facade shall contain more than four (4) garage fronts. Resident garages or parking that is internal to the block is encouraged. On-street parking should be made available for visitors.

**Sec. 2.20. Commercial and industrial architecture.**

- (a) **Intent.** The Town has the following four (4) distinctly different commercial/industrial types of development within its Planning Area: Downtown Commercial; the I-25 Industrial/Business Park Corridor; Mixed Use Highway #52 Commercial; and Neighborhood Commercial. They are different in character, purpose, and mixture of uses. The design considerations vary for each type, although there are many common design elements. Subsection (b) below outlines the common elements and the specific design considerations are identified by type.
  - (1) With respect to the Downtown Commercial District, the Town's historic buildings have established a pattern of downtown development: buildings are located close to the sidewalk, forming a continuous street façade. Pedestrian movement is the primary focus. Building height, architectural details, front setbacks, parking location, wall articulation and sidewalks establish the architectural edge that defines this area as a walkable commercial corridor. A Mixed Use Commercial-Downtown Zoning District has been created to connect and transition the original downtown with the Community Commercial that will be located along Highway #52.

- (2) The I-25 Industrial/Business Park Corridor is the primary employment center for the community. It is a highly visible area, located along the Interstate, and it directly reflects the image of the Town. The interchange at Highway #52 and I-25 also provides an important commercial component. This area is predominately automobile accessible; however one (1) of the design challenges is to improve the pedestrian connections internally and as this area connects to the rest of the community.
- (3) The Mixed Use Highway #52 area is the primary Community Commercial Corridor for the Town. This area is also predominately accessed by automobile. However, the integration of commercial uses with a mixture of high density residential that transitions to medium and lower density areas will require good pedestrian access throughout this area.
- (4) Finally, Neighborhood Commercial is intended to be integrated into the design of new neighborhoods to serve as a focal point and meet convenience commercial needs.

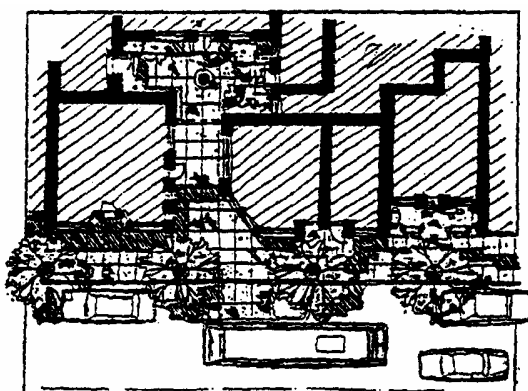
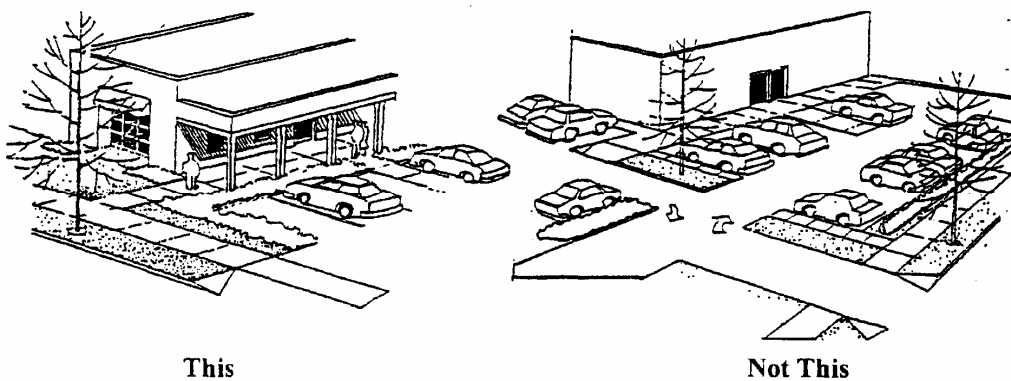
(b) General provisions.

- (1) Connections. Commercial developments must be linked with surrounding areas by extending town streets, sidewalks and/or paths directly into and through the development, thereby providing convenient, direct pedestrian, bicycle and vehicle access to and from all sides of the development.
- (2) Accessibility. Developments must be accessible to pedestrians and bicyclists as well as motorists. Site plans shall equally emphasize the following:
  - a. Pedestrian access to the site and buildings;
  - b. Gathering areas for people; and
  - c. Auto access and parking lots.

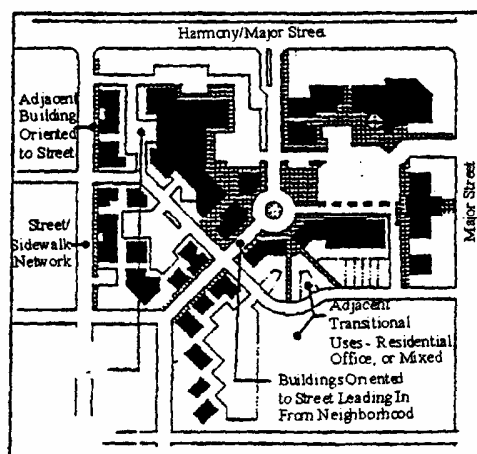
The emphasis must not be placed solely on parking and drive-through functions.

- (3) Walkways. Walkways must be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access.
- (4) On-street parking. Streets and other elements of the site plan shall be designed so that on-street parking is a functional part of the development (except along arterial streets).
- (5) Building orientation. Where possible, buildings shall be located to front on and relate primarily to streets. Building setbacks from local and collector streets should be minimized in order to establish a visually continuous, pedestrian-oriented streetfront. In the case of large buildings for employment, storage or auto-related uses, where greater setbacks are needed, a minimum of thirty percent (30%) of the building shall be brought to the setback line. If a minimized setback is not maintained, the larger setback area shall have landscaping, low walls or fencing, a tree canopy and/or other site improvements along the sidewalk designed for pedestrian interest, scale and comfort. See Figure 2-28.

Figure 2-28  
Examples of Neighborhood Commercial Setback



Commercial developments in which the buildings have been shaped by the street/sidewalk network, and in turn give definite form to streets, sidewalks, and other spaces.



Illustrations from City of Fort Collins, *Design Standards and Guidelines for All Commercial Development*, March 1996 (reprinted with permission).

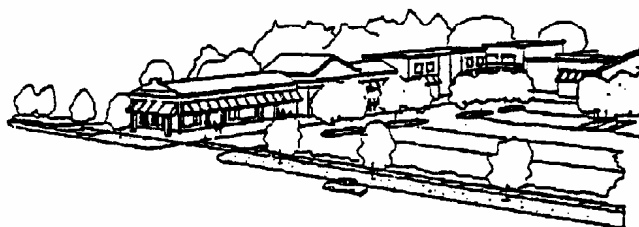
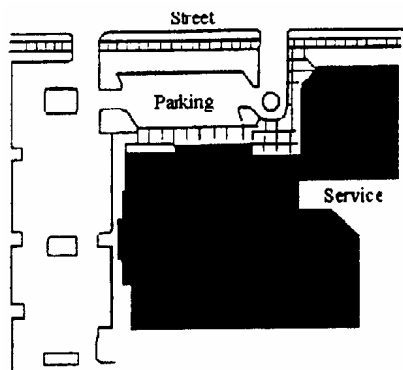


Illustration from City of Fort Collins, *Design Standards and Guidelines for All Commercial Development*, March 1996 (reprinted with permission).

- (6) Pedestrian scale. The establishment of buildings on isolated “pad sites” surrounded by parking lots and driveways, and that offer mainly auto-oriented signage to define entrances, is discouraged. Even relatively massive development can be configured into “blocks” or other spaces proportioned on a human scale and city block scale; and need not be proportioned on a monolithic, auto-oriented scale.
- (7) Thematic architectural styles. Standardized “corporate” or strongly thematic architectural styles associated with chain-type restaurants and service stores are strongly discouraged unless they accommodate the desired image for the Town and are compatible with adjacent structures and uses. Refer to Section 2.26 for illustrations.
- (8) Location of parking lots. Parking requirements shall be provided to the greatest extent possible by spaces at the rear or sides of the building. Refer to Parking (Section 2.10) and Landscaping (Section 2.16) for additional parking requirements.
- (9) Blank walls. Blank, windowless walls are discouraged. Where the construction of a blank wall is necessary, the wall shall be articulated.
- (10) Wall articulation.
  - a. Walls shall not have an uninterrupted length exceeding fifty (50) feet. Pilasters, texture transitions, windows and stepping of the wall plane are required.
  - b. All exterior elevations shall maintain the integrity of the adjacent buildings’ architectural character and detailing.
  - c. Continuous cornice lines or eaves are encouraged between adjacent buildings.
  - d. Buildings with flat roofs shall provide a parapet with an articulated cornice.
- (11) Facade treatment. The architectural treatment of the front façade shall be continued, in its major features, around all visibly exposed sides of a building. Blank wall or service area treatment of side and/or rear elevations visible from the public’s view is discouraged.
- (12) Windows. Windows shall be vertically proportioned wherever possible.
- (13) Awnings. Fixed or retractable awnings are permitted. Canvas is the preferred material, although other waterproofed fabrics and metal or aluminum may be used where appropriate.
- (14) Screening. All air conditions units, HVAC systems, exhaust pipes or stacks, elevator housing, satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements and landscaping. In addition, all trash facilities and loading and parking areas shall be properly screened.
- (15) Architectural details. All materials, colors and architectural details used on the exterior of a building shall be compatible with the building’s style and with each other. Refer to Section 2.26 for illustrations of commercial architecture that the Town is encouraging.

(c) Downtown architectural standards.

- (1) Setbacks. Buildings shall abut the front property line. Building facades may be recessed if an arcade or similar structure abuts the front setback. Architectural projections, including cornices, balconies, canopies and entry features, may encroach into public rights-of-way, subject to permits as required by the Town's Code.
- (2) Multi-story, mixed-use structures. Commercial uses shall be contained in multi-story (two- and three-story) mixed-use structures with commercial/retail uses on the ground level and above and/or apartment dwellings or offices on the upper levels. Such building shall vary in terms of footprint and architectural elevations. The maximum ground level footprint of a commercial building shall be five thousand (5000) square feet.
- (3) Facade treatments. Large buildings shall be articulated or designed to resemble the character and scale of the original downtown buildings, with each façade twenty-five (25) feet or less. Refer to Section 2.26 for examples of commercial architecture that the Town is encouraging.
- (4) Entries. Transparent entries and large store front windows are strongly encouraged. Recessed and other styles of window openings are desired.
- (5) Windows. Street-level storefront windows are strongly encouraged. Office and residential windows organized in a generally regular pattern are encouraged.
- (6) Awnings/canopies. Awnings or canopies which provide a generally consistent cover along the pedestrian walk are strongly encouraged. Arcades are desired to maintain a more continuous weather-protected walk.

(d) Neighborhood commercial architectural standards.

- (1) Neighborhood center. The design of the commercial center needs to function as a focal point or activity center for the neighborhood. The design should include, where possible, outdoor space for pedestrians, such as a plaza, outdoor café or seating area.
- (2) Setbacks. Building setbacks from local and collector streets should be minimized in order to establish a visually continuous, pedestrian-oriented street front. In the case of large buildings for employment, storage or auto-related uses, where greater setbacks are needed, a minimum of thirty percent (30%) of the building shall be brought to the setback line. If a minimized setback is not maintained the larger setback area shall have landscaping, low walls or fencing, a tree canopy and/or other site improvements along the sidewalk designed for pedestrian interest, scale and comfort.
- (3) Driveway crossings. Driveway crossings must place priority on the pedestrian access, and the material and layout of the pedestrian access must be continuous as it crosses the driveways, with a break in the continuity of the driveway paving and not in the pedestrian access way. Continuous driveway aisles located directly in front of a building are discouraged. See Figure 2-30.

Figure 2-30  
Neighborhood Layout

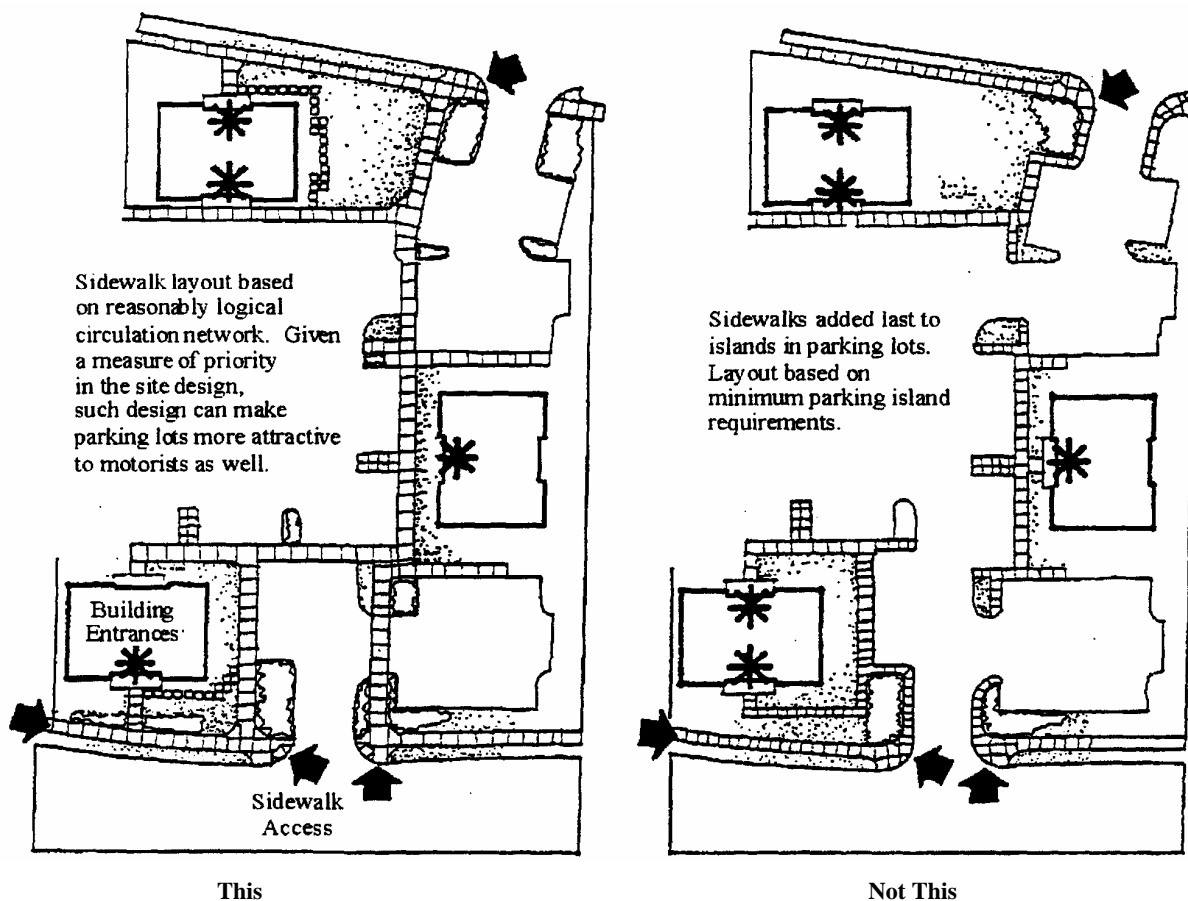
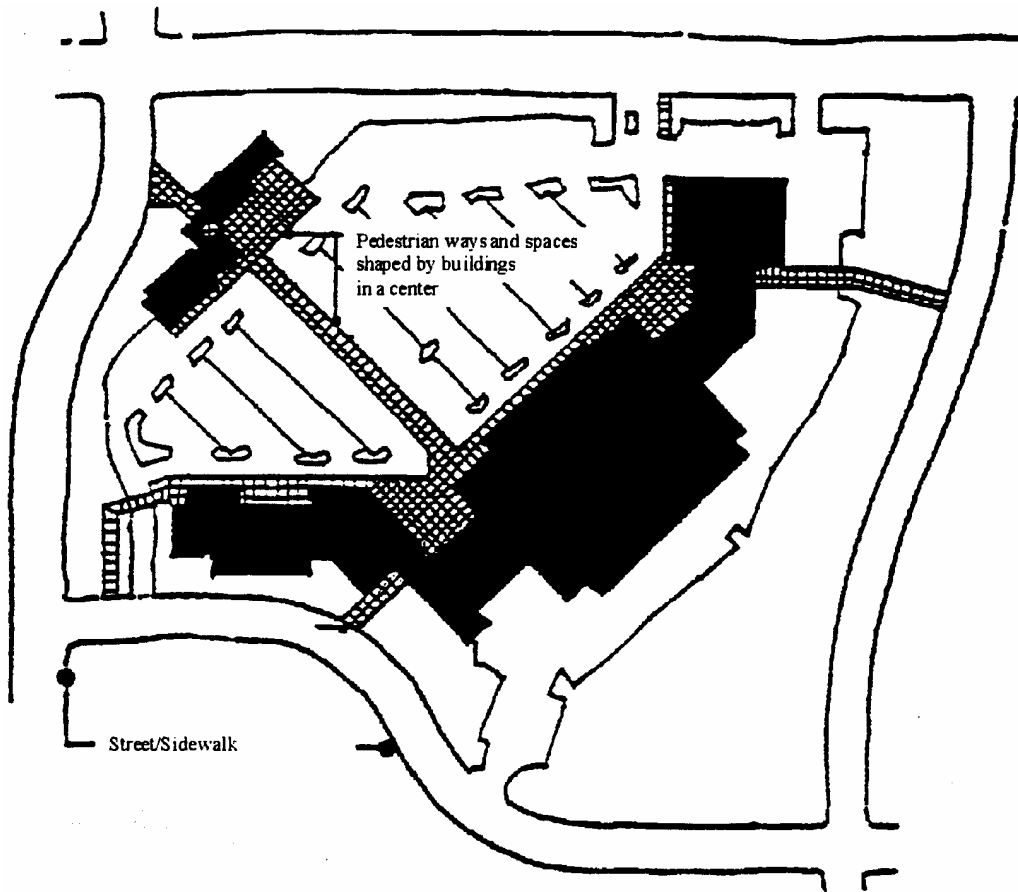


Illustration from City of Fort Collins, *Design Standards and Guidelines for All Commercial Development*, March 1996 (reprinted with permission).

(e) Community commercial architectural standards.

- (1) Design of developments with internal orientation. In multiple-building developments, where setbacks are increased to accommodate independent development with internal orientation, all primary building entrances must face walkways, plazas or courtyards that have direct, continuous linkage to the street without making people walk through parking lots. However, it may be necessary for such direct pedestrian access ways to cross drive aisles. Driveway crossings must place priority on the pedestrian access. Continuous driveway aisles located directly in front of a building are discouraged.
- (2) Connections. Where it is not possible or appropriate to extend Town street and sidewalks directly into development or bring the building up to a Town sidewalk, buildings shall be shaped and designed to form pleasant, direct connections to adjacent land uses. See Figure 2-31.

Figure 2-31  
Community Commercial Design



Example of community commercial design of independent developments with internal orientation from City of Fort Collins, *Design Standards and Guidelines for all Commercial Development* (reprinted with permission).

- (3) Requirement for four-sided design: A building's special architectural features and treatments shall not be restricted to a single façade. All sides of a building open to view by the public, whether viewed from public or private property, shall display a similar level of quality and architectural interest.
- (4) Building form:
  - a. The design of all buildings shall employ textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, reveals, changes in parapet heights and similar architectural features to avoid monolithic shapes and surfaces and to emphasize building entries. Designs shall not contain unbroken flat walls of fifty (50) feet or greater in length.
  - b. Buildings having single walls exceeding fifty (50) feet in length shall incorporate one (1) or more of the following for every fifty (50) feet:
    1. Changes in color, graphical patterning, texture or material;

2. Projections, recesses and reveals;
  3. Windows and fenestration;
  4. Arcades and pergolas;
  5. Towers;
  6. Gable projections;
  7. Horizontal/vertical breaks; or
  8. Other similar techniques.
- (5) Exterior building materials and colors: Intense bright or fluorescent colors shall not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors.
  - (6) Roof materials: All sloping roof areas with a pitch of 3:12 or greater, and visible from any public or private right-of-way, shall be surfaced with attractive and durable materials.
  - (7) Orientation of pedestrian entries: All office, hotel and motel structures shall be oriented so that pedestrian entries face the nearest adjacent street.
- (f) Industrial/business park architectural standards – intent. Interstate 25 provides the opportunity to localize industrial/business park development, as well as highway commercial. Such development shall adhere to the adopted standards outlined in the Uniform Baseline Standards. In addition, the following standards shall apply:
- (1) Subsections 2.2(e)(3) through (e)(7) above shall apply.
  - (2) Building massing and form:
    - a. Office and entry spaces shall be distinguished from the building mass.
    - b. Large, square, "box-like" structures are not an acceptable form. Architectural elements with smaller forms stepping outwards and down shall be included.
    - c. Loading areas shall not front any street or public right-of way.
    - d. Parking requirements shall be provided to the extent possible at the rear or sides of the building.
  - (3) Wall articulation. Walls shall not have an uninterrupted length exceeding fifty (50) feet. Pilasters, texture transitions, windows and stepping of the wall plane are required. Refer to Section 2.26 for examples of industrial architectural styles that the Town is encouraging.

- (4) Siting structures.
  - a. Structures shall be sited to avoid a "wall" effect along public rights-of-way and along adjacent property lines. This can be achieved by varying the building setbacks and clustering buildings.
  - b. Where multiple buildings are proposed on a development parcel, buildings shall be oriented to allow views into the project and shall preserve high quality views through the project (e.g., views of the Front Range). (Ord. 857, 2006)

**Sec. 2.21. Lighting.**

- (a) Intent. It is the intent of this Section to:
  - (1) Create an attractive lighting system to enhance visibility and safety, while minimizing glare and contrast.
  - (2) Encourage exterior lighting that is functional, aesthetically pleasing and complementary to the architectural style of buildings.
- (b) General provisions.
  - (1) Evaluation of exterior lighting. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which exterior night lighting affects a property owner or neighborhood will be examined considering the light source, level of illumination, hours of illumination and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.
  - (2) Light style. The style of lights shall be consistent with the style and character of architecture proposed on the site. Light fixtures that illuminate signage shall be compatible with the architecture of the building on which they are placed.
  - (3) Concealed light source. Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent property and away from the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with "cut-off" devices so that it will not be visible from any adjacent property and to ensure that ambient skyward light is eliminated. Accent and flagpole lighting shall be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property. Light fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed.
  - (4) Hours of lighting operation. All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within one (1) hour after the end of business hours and remain extinguished until one (1) hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.

- (5) Height standards for lighting.
  - a. Residential zoning districts. Light fixtures shall be mounted on concrete, fiberglass or painted metal poles no higher than sixteen (16) feet from the ground. Lighting mounted on a building or structure shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between three (3) and four (4) feet high.
  - b. Nonresidential zoning districts. Light fixtures shall be mounted on concrete, fiberglass or painted metal poles no higher than twenty-five (25) feet from the ground, unless a greater height, not to exceed the maximum building height in the applicable zone district, is approved by the Planning Commission or Board of Trustees through a development application review process. Lighting mounted on a building or structure shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between three (3) and four (4) feet high.
- (6) Exemption for outdoor recreational uses. Because of their limited hours of operation and their unique requirements for nighttime visibility, ball diamonds, playing fields, tennis courts and other similar outdoor recreational uses (both public and private, unless otherwise restricted by the Planning Commission or Board of Trustees) shall be exempt from the general provisions of this Section. However, exterior lighting for such uses shall be extinguished no later than 11:00 p.m.

**Sec. 2.22. Environmental considerations.**

- (a) Intent. The intent of this Section is to ensure that new development limits/mitigates its impact to wildlife and wildlife habitat and that it minimizes environmental impacts.
- (b) General provisions; protection of wildlife and natural areas. To the maximum extent practical, development shall be designed to ensure that disturbances which occur to any natural area as a result of development shall be minimized through the use of natural buffer zones. If any development materially disturbs a natural area, the development project shall mitigate such lost natural resource either on- or off-site. Any such mitigation shall be roughly proportional to the loss suffered as a result of the disturbance.
  - (1) Natural areas shall include: floodplains and floodways; natural drainage and water ways; significant native trees and vegetation; wildlife travel corridors; special habitat features such as raptor nest sites, key nesting, breeding or feeding areas for birds; fox and coyote dens; prairie dog colonies over twenty-five (25) acres in size; remnant native prairie habitat; plains cottonwood galleries; and any wetland greater than one-quarter ( $\frac{1}{4}$ ) acre in size, as identified on the *Town of Frederick Wetlands Map 2002*.
  - (2) The natural area buffer zone shall be used between natural areas and proposed development to ensure that the proposed development does not degrade the natural area. The size of the buffer zone shall be determined in conjunction with the Colorado Division of Wildlife or a Town-approved wetland or wildlife ecologist. The Town may decrease this buffer when strict application of this Subsection will impose an exceptional and undue hardship upon the property owner or developer.
  - (3) Exceptions. The Board of Trustees may allow disturbance or construction activity within the natural area or natural area buffer zone for the following limited purposes: mitigation

of development activities, restoration of previously degraded areas, emergency public safety activities and utility installations when such activities and installations cannot reasonably be contained within other nearby develop areas, construction of a trail that will provide public access for educational or recreational purposes, or the enhancement of the habitat value and/or other natural resource values of a natural area.

- (4) Ecological characterization. If the Town determines that the site likely includes areas with wildlife, plant life and/or other natural characteristics in need of protection, the Town may require the developer to provide a report prepared by a professional qualified in the areas of ecology, wildlife biology or other relevant discipline. The ecological characterization report should be included on the open space plan and describe the following:
  - a. The wildlife use of the natural area showing the species of the wildlife using the area, the times or seasons the areas is used by those species and the "value" (meaning feeding, watering, cover, nesting, roosting, perching) that the area provides for such wildlife species;
  - b. The boundary of wetlands in the area and a description of the ecological functions and characteristics provided by those wetlands;
  - c. Any prominent views from or across the site;
  - d. The pattern, species and location of any significant native trees and other native site vegetation;
  - e. The bank, shoreline and high water mark of any perennial stream or body of water on the site;
  - f. Wildlife travel corridors; and
  - g. The general ecological functions provided by the site and its features.
- (5) Wildlife conflicts. If wildlife that may create conflicts for the future occupants of the development (including, but not limited to, prairie dogs, beaver, deer and rattlesnakes) are known to exist in areas adjacent to or on the development site, then the development plan must, to the extent reasonably feasible, include provisions such as barriers, protection mechanisms for landscaping and other site features to minimize conflicts that might otherwise exist between such wildlife and the developed portion of the site. Any impacts to wildlife must be referred to the Colorado Division of Wildlife and, in the case of threatened or endangered species, United States Fish and Wildlife Department.
- (c) Green Builder guidelines. The Green Builder Program establishes environmental standards for the construction and operation of buildings. The intent of this Program is to promote building practices which benefit the environment and the socio-economic well-being of current and future residents.
  - (1) There are five (5) resource areas which are addressed by the Green Builder standards:
    - a. Water (quality and quantity);

- b. Energy (quantity and type);
  - c. Building materials (life cycle impacts);
  - d. Solid waste (construction and operation impacts); and
  - e. Health and safety.
- (2) Compliance. Compliance with the requirements of the Colorado Green Builder Program<sup>3</sup> is strongly encouraged.

### **Sec. 2.23. Sanitary sewer.**

All residential, commercial and industrial uses which have human occupancy shall have sanitary sewer. The sanitary sewer system shall be connected to an existing public sanitary sewer system and shall consist of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built. Sanitary sewer lines are to be of sufficient size and design to collect all sewage from all proposed or portable structures within the subdivision or development. On a case-by-case basis, the Board of Trustees may approve individual sewage disposal systems that comply with Weld County Health Department standards. However, no new addition, upgrade or major repair to an individual sewage disposal system will be permitted if the property is located within four hundred (400) feet of a municipal or sanitation district collection line, measured through existing sewer easements or utility rights-of-way, except where such connection is not feasible or has been denied by the Town or district.

### **Sec. 2.24. Potable water.**

All residential, commercial and industrial uses which have human occupancy shall have potable water served by the Town or appropriate water district. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built.

### **Sec. 2.25. Fire hydrants.**

The subdivider shall install fire hydrants at street intersections and at other points as per the requirements of the Frederick Area Fire Protection District. Fire hydrants shall have national standards threads, two-and-one-half-inch outlets and four-and-one-half-inch or six-inch streamers.

### **Sec. 2.26. Design vocabulary.**

*A small community is physically unified by common design features which include building mass and style, facade treatment, materials, colors, landscape and streetscape details.*

*– Visions for a New American Dream, Anton Nelessen, 1994*

- (a) Intent. The following images are intended to provide examples of buildings and landscape features that may contribute to the Town's special character. The intent of the Design Vocabulary is to illustrate the character and quality of development the Town is seeking and to help ensure new development is integrated with "Old Town" Frederick. The residential

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<sup>3</sup> Information is available from Green Builder Program Administration office at (303)778-1400 or on the web at [www.builtgreen.org](http://www.builtgreen.org).

architectural styles illustrate traditional Colorado styles which are referred to in Sections 2.7 and 2.19.

(b) Elements. The Design Vocabulary includes the following elements:

- (1) Residential Architectural Styles.
- (2) Medium Density Residential Architectural Styles.
- (3) Old Town.
- (4) Neighborhood Commercial.
- (5) Commercial/Industrial.
- (6) Streetscape.
- (7) Fences.
- (8) Signage.